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THIRD SESSION OF THE FIFTH PARLIAMENT

OF THE

DOMINION OF CANADA.

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SESSION 1885.

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3. Report of the Department of Indian Affairs, for the year ended 31st December, 1884. Presented to the House of Commons, 2nd February, 1885, by Sir John A. Macdonald—  
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4. Annual Report, Returns and Statistics of the Inland Revenues of the Dominion of Canada, for the fiscal year ended 30th June, 1884. Supplement No. 1—Canal Statistics for season of navigation, 1884. Supplement No. 2—Eleventh Report on Inspection of Weights, Measures and Gas, 1884. Supplement No. 3—Report on Adulteration of Food, 1884. Presented to the House of Commons, 2nd February, 1885, by Hon. J. Costigan—  
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5. Annual Report of the Auditor-General on Appropriation Accounts, for the fiscal year ended 30th June, 1884. Presented to the House of Commons, 2nd February, 1885, by Sir Leonard Tilley.....*Printed for both Distribution and Sessional Papers.*
6. Annual Report of the Postmaster-General, for the year ended 30th June, 1884. Presented to the House of Commons, 11th February, 1885, by Hon. J. Carling—  
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7. Annual Report of the Department of Militia and Defence of the Dominion of Canada, for the year ended 31st December, 1884. Presented to the House of Commons, 5th February, 1885, by Hon. J. P. R. A. Caron.....*Printed for both Distribution and Sessional Papers.*

CONTENTS OF VOLUME No. 5.

8. Annual Report of the Minister of Agriculture for the Dominion of Canada, for the year ended 31st December, 1884. Report on Historical Archives. Abstracts of the Returns of Mortuary Statistics, for the year 1884. Presented to the House of Commons, 20th March, 1885, by Hon. J. H. Pope.....*Printed for both Distribution and Sessional Papers.*

CONTENTS OF VOLUME No. 6.

9. Seventeenth Annual Report of the Department of Marine and Fisheries, being for the fiscal year ended 30th June, 1884. Presented to the House of Commons, 16th February, 1885, by Hon. A. W. McLelan.....*Printed for both Distribution and Sessional Papers.*
- 9a. Preliminary Report on the Fisheries of Canada, for the year 1884. Presented to the House of Commons, 27th February, 1885, by Hon. A. W. McLelan—  
*Printed for both Distribution and Sessional Papers.*
- 9b. First Annual Report of the Department of Fisheries, Dominion of Canada, for the year 1884. Presented to the House of Commons, 28th May, 1885, by Hon. A. W. McLelan—  
*Printed for both Distribution and Sessional Papers.*
- 9c. Report of the Fish-breeding in the Dominion of Canada, for 1884. Presented to the House of Commons, 14th April, 1885, by Hon. A. W. McLelan—  
*Printed for both Distribution and Sessional Papers.*

CONTENTS OF VOLUME No. 7.

10. Annual Report of the Minister of Public Works of Canada, for the fiscal year ended 30th June, 1884, on the works under his control. Presented to the House of Commons, 2nd February, 1885, by Sir Hector Langevin.....*Printed for both Distribution and Sessional Papers.*
11. Annual Report of the Minister of Railways and Canals, for the fiscal year ended 30th June, 1884, on the works under his control. Presented to the House of Commons, 11th February, 1885, by Hon. J. H. Pope.....*Printed for both Distribution and Sessional Papers.*
- 11a. Reports of the Railway Statistics of Canada, and capital, traffic and working expenditure of the railways of the Dominion, for the year 1883-84. Presented to the House of Commons, 15th April, 1885, by Hon. J. H. Pope.....*Printed for both Distribution and Sessional Papers.*
12. Annual Report of the Secretary of State of Canada, for the year ended 31st December, 1884. Presented to the House of Commons, 17th February, 1885, by Hon. J. A. Chapleau—  
*Printed for both Distribution and Sessional Papers.*
13. Annual Report of the Department of the Interior, for the year ended 31st December, 1884. Presented to the House of Commons, 30th January, 1885, by Sir John A. Macdonald—  
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14. Report of the Superintendent of Insurance, for the year ended 31st December, 1884—  
*Printed for both Distribution and Sessional Papers.*
- 14a. Abstract of Statements of Fire and Inland Marine Insurance Companies in Canada, for the year ended 31st December, 1884. Presented to the House of Commons, 30th March, 1885, by Sir Leonard Tilley. Report of the Superintendent of Insurance, for the year ended 31st December, 1884 .....*Printed for both Distribution and Sessional Papers.*

- 14b.** Return to an Order of the House of Commons, dated 2nd March, 1885, for a statement showing the receipts and expenditure of the liquidators of the Canada Agricultural Insurance Company, from date of appointment up to this day, giving in detail the names of shareholders who have paid instalments, the dates and amounts of payments made, the balances due, the amount now owing by each shareholder, and the amounts for which they were liable when the company was put in liquidation; also a detailed statement of the sums paid by the said liquidators, the names of the persons to whom payments were made, the dates thereof, the object for which such payments were made, and all other information necessary to show precisely the financial condition of the said insolvent company, including a statement of the affairs of the company when it was placed in liquidation. Presented to the House of Commons, 31st March, 1885.—*Mr. Amyot* ..... *Not printed.*
- 15.** Annual Report of the Minister of Justice as to Penitentiaries in Canada, for the year ended 30th June, 1884. Presented to the House of Commons, 2nd February, 1885, by Sir Hector Langevin.....*Printed for both Distribution and Sessional Papers.*
- 15a.** Return to an Order of the House of Commons, dated 30th March, 1885, for copies of all correspondence between the Department of Justice and the Inspectors or the Warden of the Penitentiary of British Columbia, in regard to the suspension, in whole or in part, of any of the rules of said institution. Presented to the House of Commons, 20th April, 1885.—*Mr. Shakespeare*.....*Not printed.*
- 16.** Annual Report on the Library of Parliament. Presented to the House of Commons, 29th January, 1885, by Hon. Mr. Speaker.....*Printed for Sessional Papers only.*

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- 17.** Shareholders in the Chartered Banks of the Dominion of Canada, as on the 31st of December, 1884. Presented to the House of Commons, 20th March, 1885, by Sir Leonard Tilley—  
*Printed for both Distribution and Sessional Papers.*
- 17a.** Memorandum respecting the estate of the Bank of Upper Canada. Presented to the Senate, 25th February, 1885, by Hon. Sir Alexander Campbell.....*Not printed.*
- 18.** Dominion Police Commissioners' Return to Parliament, 1884, required by 31 Victoria, chapter 73. Presented to the House of Commons, 2nd February, 1885, by Sir Hector Langevin—  
*Not printed.*
- 19.** Return of Governor General's Warrants issued since last Session of Parliament on account of 1883-84 and 1884-85, in accordance with 41 Victoria, chapter 7, section 32, sub-section 2. Presented to the House of Commons, 2nd February, 1885, by Sir Leonard Tilley.  
*Printed for Distribution only.*
- 20.** Statement of payments charged to Unforeseen Expenses, by Orders in Council, from 1st July, 1884, to date, in conformity with Act 47 Victoria, chapter 2, schedule B. Presented to the House of Commons, 2nd February, 1885, by Sir Leonard Tilley.....*Not printed.*
- 21.** Report of the Commissioners appointed to consolidate and revise the Statutes of Canada. Presented to the House of Commons, 3rd February, 1885, by Sir John A. Macdonald.  
*Printed for Distribution only.*
- 22.** Statement of name and rank of each person superannuated or retired, his salary, age, length of service, the allowance granted him on retirement, cause of his superannuation, and whether the vacancy has been subsequently filled, and, if so, whether by promotion or new appointment, and the salary of the new appointee, under 46 Victoria, chapter 8, section 15, from 1st January to 31st December, 1884. Presented to the House of Commons, 3rd February, 1885, by Sir Leonard Tilley.....*Printed for Distribution only.*
- 22a.** Return to an Order of the House of Commons, dated 6th February, 1885, for a statement showing for the time elapsed since the period covered by the Order of the House of Commons



of last Session, with reference to the Superannuation Fund : 1. The number of persons on the list for the year as entitled to the benefit of the Act. 2. The number superannuated during the year under the Act. 3. The number retired during the year on a gratuity under the Act. 4. The total amount paid into the fund from the beginning by those who were during the year superannuated or retired on a gratuity ; distinguishing between those whose superannuation was caused by the abolition of office, those who were superannuated otherwise, and those who retired on a gratuity. 5. The number of persons on the list for the year who died in the service. 6. The total amount paid into the fund from the beginning by those who during the year died in the service. Presented to the House of Commons, 2nd March, 1885.—*Mr. Blake—*

*Printed for Sessional Papers only.*

**22b.** Return to an Order of the House of Commons, dated 6th February, 1885, for a Return :

1. Showing the number of persons on the list of Civil Servants on the 1st day of January, in the years 1879-80-81-82-83-84 and '85, separately, contributing to the Superannuation Fund.
2. Showing the number of persons on the list of Civil Servants on the 1st day of January, 1885, entitled to the benefit of the Superannuation Act, by annuity in case of retirement.
3. The total amount paid into the fund from the beginning by each of those superannuated during the year 1884, also the respective amounts paid in by those granted a gratuity during the year 1884. Presented to the House of Commons, 23rd March, 1885.—*Mr. McMullen.....Not printed.*

**22c.** Return to an Address of the House of Commons, dated 28th March, 1884, for copies of all Orders in Council, correspondence, complaints, reports or other documents in connection with the suspension, superannuation or retirement of W. F. Whitcher from the Public Service. Presented to the House of Commons, 8th June, 1885.—*Mr. Casey.....Not printed.*

**23.** Return (*in part*) to an Order of the House of Commons, dated 14th February, 1884, for return of all sums paid to the *Gazette* Publishing Company of Montreal, and other newspapers, for printing and advertising during the years 1874 and 1883. Presented to the House of Commons, 4th February, 1885.—*Mr. McMullen.....Not printed.*

**23a.** Return (*in part*) to an Address of the House of Commons, dated 17th February, 1885, for a Return showing the several sums paid and dates of payment made by the Government between the 1st day of January, 1884, and the 30th day of June, 1884, and between the 1st day of July and the 31st day of December, 1884, to the several printing and publishing companies of the Dominion, or to editors, agents or proprietors of newspapers, or publishers of any kind, for any work done or material furnished. Presented to the House of Commons, 29th May, 1885.—*Mr. McMullen.....Not printed.*

**24.** Official Return of the distribution of the Dominion Statutes of Canada, being 47 Victoria, 2nd Session, 5th Parliament, 1884—Vols. 1 and 2 separately, and 1 and 2 together ; English and French versions. Presented to the House of Commons, 6th February, 1885, by Hon. J. A. Chapleau.....*Not printed.*

**25.** Articles of agreement entered into between Andrew Onderdonk and Her Majesty Queen Victoria, represented by the Minister of Railways and Canals of Canada, to furnish and erect a combined passenger and freight building at each of the following places on the line of the Canadian Pacific Railway in British Columbia, viz. :—Yale, Lytton and Ashcroft. Also between John Philip Bacon and Her Majesty Queen Victoria, &c., to construct nine water tanks on Canadian Pacific Railway in British Columbia, between Emory's Bar and Savona's Ferry. Presented to the House of Commons, 6th February, 1885, by Hon. J. H. Pope—*Not printed.*

**25a.** Return (*in part*) under resolution of the House of Commons, passed on the 20th February, 1882, on all subjects affecting the Canadian Pacific Railway, respecting details as to : 1. The selection of the route. 2. The progress of the work. 3. The selection or reservation of land. 4. The payment of moneys. 5. The laying out of branches. 6. The progress thereon. 7. The rates of tolls for passengers and freight. 8. The particulars required by the Consolidated Railway Act and amendments thereto, up to the end of the previous fiscal year. 9. Like particulars up to the latest practicable date before the presentation of the return. 10. Copies of all



Orders in Council and of all correspondence between the Government and the Railway Company, or any member or officer of either, relating to the affairs of the company. Presented to the House of Commons, 13th February, 1885, by Hon. J. H. Pope—  
*Printed for Sessional Papers only.*

- 25b.** Annual Return *in re* the Canadian Pacific Railway, 1884-85, under resolution of the House of Commons, passed on the 20th February, 1882. Presented to the House of Commons, 13th February, 1885, by Sir John A. Macdonald.....*Printed for Sessional Papers only.*
- 25c.** Supplementary Return to a Standing Order of the House of Commons, dated 20th February, 1882, for full information on all subjects affecting the Canadian Pacific Railway up to the latest date, and particularly all details as to: 1. The selection of the route. 2. The progress of the work. 3. The selection or the reservation of land. 4. The payment of moneys. 5. The laying out of branches. 6. The progress thereon. 7. The rates of tolls for passengers and freight. 8. The particulars required by the Consolidated Railway Act and amendments thereto, up to the end of the previous fiscal year. 9. Like particulars up to the latest date before the presentation of the return. 10. Copies of all Orders in Council and of all correspondence between the Government and the Railway Company, or any member or officer of either, relating to the affairs of the company. Presented to the House of Commons, 17th February, 1885, by Hon. J. A. Chapleau.....*Printed for Sessional Papers only.*
- 25d.** Return to an Order of the House of Commons, dated 9th February, 1885, for a statement and plan showing the grades and curves on the temporary or permanent line actually constructed by the Canadian Pacific Railway Company, from the foot of the Rocky Mountains as far as the rails are laid; and the proposed grades and curves on the continuation to Kamloops; showing also the proposed grades and curves on the permanent line at a point at which a temporary line of about nine miles has been constructed. Presented to the House of Commons, 5th March, 1885.—*Mr. Blake* .....*Not printed.*
- 25e.** Return to an Order of the House of Commons, dated 5th February, 1885, for map or maps showing: 1. The location of the Canadian Pacific Railway, so far as approved of or constructed. 2. Its location, so far as proposed to Government, but not yet approved. 3. The location of any branches constructed or acquired and of any now contemplated by the company, so far as the Government is advised. 4. The lands set apart for the company, but not yet granted. 5. The lands granted. 6. The lands applied for, but not yet set apart. Presented to the House of Commons, 5th March, 1885.—*Mr. Blake* .....*Not printed.*
- 25f.** Return to an Address of the House of Commons, dated 5th February, 1885, to His Excellency the Governor General, praying that he will cause to be laid before the House a copy of: 1. Correspondence between the Canadian Pacific Railway Company and the North Shore Railway Company, for the purchase, by the said Canadian Pacific Railway Company, of the said North Shore Railway from St. Martin's Junction to Quebec, or to obtain control of the same, or to make such arrangements as would allow the said Canadian Pacific Railway to extend its railway to Quebec. 2. Of all correspondence between the Government and the Canadian Pacific Railway Company concerning the extension of their railway from St. Martin's Junction to the Harbor of Quebec. 3. Of all correspondence between the Government and any other persons for the purpose of incorporating such persons for the construction of a railway from the terminus of the Canadian Pacific Railway, at St. Martin's Junction, to the Harbor of Quebec. Presented to the House of Commons, 5th March, 1885.—*Mr. Laurier*.....*Not printed.*
- 25g.** Return to an Order of the House of Commons, dated 17th February, 1885, for a copy of separate report or finding of Judge Clarke, one of the arbitrators on the claims for damages of contractors for Section B, Canadian Pacific Railway, in regard to such claims or to the award in reference thereto, signed by Messrs. Brydges and Light, the other arbitrators. Presented to the House of Commons, 5th March, 1885.—*Mr. Casey*.....*Not printed.*
- 25h.** Return to an Order of the House of Commons, dated 17th February, 1885, for a copy of the case submitted by the Government to counsel, and opinion given by counsel consulted by the Government, as to the validity of the award of damages to contractors for Section B, Canadian Pacific Railway, and as to the action that should be taken in reference to such award. Presented to the House of Commons, 5th March, 1885.—*Mr. Casey*.....*Not printed.*

**25i.** Return to an Order of the House of Commons, dated 16th February, 1885, for a statement of sums paid to the Canadian Pacific Railway Company up to date, for constructions on those portions of the Canadian Pacific Railway between Port Arthur and Winnipeg, the contract for which has been transferred to them from the original contractors, with dates of payment; also, copies of estimates on which such payments have been made, showing quantities and rates. Presented to the House of Commons, 5th March, 1885.—*Mr. Casey*.....*Not printed.*

**25j.** Supplementary Return, under resolution of the House of Commons, passed on the 20th February, 1882, on all subjects affecting the Canadian Pacific Railway, respecting details as to:  
1. The selection of the route. 2. The progress of the work. 3. The selection or reservation of land. 4. The payment of money. 5. The laying out of branches. 6. The progress thereon. 7. The rates of tolls for passengers and freight. 8. The particulars required by the Consolidated Railway Act and amendments thereto, up to the end of the previous fiscal year. 9. Like particulars up to the latest practicable date before the presentation of the Return. 10. Copies of all Orders in Council, and of all correspondence between the Government and the Railway Company, or any member or officer of either, relating to the affairs of the company. Presented to the House of Commons, 5th March, 1885, by Hon. J. A. Chapleau.  
*Printed for Sessional Papers only.*

**25k.** Return to an Address of the House of Commons, dated 5th February, 1885, for a statement showing the date and rate at which the ten million dollars of Canadian Pacific Railway stock formerly pledged for a loan of about \$4,950,000 was sold, and the net amount received by the company in respect of such sales. Presented to the House of Commons, 9th March, 1885.—*Mr. Blake*.....*Not Printed.*

**25l.** Return to an Order of the House of Commons, dated 4th February, 1885, for copies of all reports of Government engineers, made previous to and on this day, in relation to the survey of the several proposed lines for the extension of the Canadian Pacific Railway from Montreal to a port on the Atlantic Ocean. Also the instructions and the official correspondence which passed between the several engineers and the Government. Presented to the House of Commons, 11th March, 1885.—*Mr. Lesage*.....*Not printed.*

**25m.** Return to an Address of the House of Commons, dated 17th February, 1885, for a plan of the proposed route or routes of the Canadian Pacific Railway from Port Moody, or the neighborhood thereof, to English Bay or Coal Harbor, showing the point at which the route chosen diverges from the main line, and the distance thereof from the present terminus at Port Moody; also an estimate of the cost of constructing the proposed line to the new Pacific terminus, and of the cost of the terminal accommodations there. Presented to the House of Commons, 13th March, 1885.—*Mr. Blake*.....*Not printed.*

**25n.** Return to an Address of the House of Commons, dated 23rd February, 1885, for copies of the report of Mr. Van Horne, Vice-President of the Canadian Pacific Railway Company, of September last, and of Mr. S. B. Read, C.E., of the same month, with reference to the Canadian Pacific Railway in British Columbia; and also reports of engineers of high standing, as to the route of the Canadian Pacific Railway at the point where a temporary line has been built, referred to in the letter from Mr. Van Horne to the Minister of Railways and Canals, of 19th May, 1884, and for any report of Mr. Fleming on the subject, in the possession of the Railway Company. Presented to the House of Commons, 13th March, 1885.—*Mr. Blake*—  
*Printed for Sessional Papers only.*

**25o.** Return to an Address of the House of Commons, dated 17th February, 1885, for a copy of the claim put in by the contractors of Section B, on which the award to them of \$395,600 was based; and of Order in Council of 2nd April, 1883, in reference to submission to arbitrators. Presented to the House of Commons, 13th March, 1885.—*Mr. Casey*.....*Not printed.*

**25p.** Supplementary Return to an Order of the House of Commons, dated 17th February, 1885, for a copy of the case submitted by the Government, as to the validity of the award of damages to contractors for Section B, Canadian Pacific Railway, and as to the action that should be taken in reference to such award. Presented to the House of Commons, 16th March, 1885.—*Mr. Casey*.....*Not printed.*



- 25g.** Return to an Address of the House of Commons, dated 5th February, 1885, for copies of all correspondence, reports and Orders in Council not covered by the previous Address, relating to the allowances proposed to be paid to the Canadian manufacturers of certain goods required by the Canadian Pacific Railway; of all applications for such allowances, and correspondence in connection therewith; a statement of the calculations on which the allowances have been based, and an estimate in detail of the probable sums payable out of the Treasury in respect of each class of goods, assuming them to be made in Canada, to the extent of the company's requirements, and of the *ad valorem* percentage of all allowances on each such class. Presented to the House of Commons, 18th March, 1885.—*Mr. Blake*.....*Not printed.*
- 25r.** Return to an Address of the House of Commons, dated 12th March, 1885, for a statement showing the names and addresses of all shareholders in the Canadian Pacific Railway Company, with the amount of stock held by each, as of the date of 16th February, 1885. Presented to the House of Commons, 18th March, 1885.—*Mr. Blake*.....*Not printed.*
- 25s.** Return to an Order of the House of Commons, dated 16th February, 1885, for a copy of the report of the engineers appointed to re-measure and re-classify the work on Section B, Canadian Pacific Railway, in connection with the claims of the contractors for said section for increased remuneration for such work and for damages. Also all reports of the engineers in charge of said section, or of the Engineer-in-Chief or any other Government engineer, in reference to the questions of measurement, classification or damages at issue between the Government and the contractors. Presented to the House of Commons, 23rd March, 1885.—*Mr. Casey*—  
*Printed for Sessional Papers only.*
- 25t.** Return to an Address of the House of Commons, dated 9th February, 1885, for a statement showing the number of passenger trains, freight trains and mixed trains, distinguishing each class, run daily, or weekly in cases in which there was not a daily train, over each division of the Canadian Pacific Railway, in each week of the years 1883 and 1884 respectively. Presented to the House of Commons, 26th March, 1885.—*Mr. Blake*.....*Not printed.*
- 25u.** Return to an Order of the House of Commons, dated 12th March, 1885, for copies of all memorials, letters and other representations, in writing, received by the Government on the subject of the non-payment by the Canadian Pacific Railway Company of amounts due to contractors, sub-contractors or laborers engaged in the construction of the Canadian Pacific Railway. Presented to the House of Commons, 26th March, 1885.—*Mr. Charlton*—  
*Not printed.*
- 25v.** Supplementary Return to a Standing Order of the House of Commons, passed on the 20th February, 1882, for full information on all subjects affecting the Canadian Pacific Railway up to the latest date, and particularly all details as to: 1. The selection of the route. 2. The progress of the work. 3. The selection or reservation of land. 4. The payment of the moneys. 5. The laying out of branches. 6. The progress thereon. 7. The rates of tolls for passengers and freight. 8. The particulars required by the Consolidated Railway Act and amendments thereto up to the end of the previous fiscal year. 9. Like particulars up to the latest practicable date before the presentation of the return. 10. Copies of all Orders in Council and of all correspondence between the Government and the railway company, or any member or officer of either, relating to the affairs of the company. Presented to the House of Commons, 23rd April, 1885, by Hon. J. H. Pope.....*Not printed.*
- 25w.** Return to an Address of the House of Commons, dated 12th February, 1885, for a statement in detail of the present position of land grant and the land grant bonds of the Canadian Pacific Railway Company, showing, by the number of the section, the township and range or other description, the lots granted to the company. Also the lots sold by the company. Also the amount of land grant bonds in the hands of the Government; the amount in the hands of the company; the amount in the hands of the public; the amount pledged by the company for loans, or otherwise, with details, and the amount cancelled; showing also the sum received by the company for lands sold in each calendar year and in the course of the present year; and the amount now due to the company in respect of lands sold, with a separate statement showing the amount received by the company from sales in town sites. and



the amount now due on such sales, distinguishing between the receipts and debts on account of town sites comprised in the land grant, or in any arrangement with the Government, and the receipts and debts on account of other town sites. Presented to the House of Commons, 23rd April, 1885.—*Mr. Blake*.....*Not printed.*

**25x.** Return to an Order of the House of Commons, dated 2nd March, 1885, for copies of all reports, plans, specifications, estimates, contracts, correspondence and other papers in connection with the construction of the Canadian Pacific Railway wharf and freight shed at Port Moody, B.C., and relating to its deterioration and repairs or reconstruction. And like papers as to the bridge on the railway near Spuzzum, B.C. Presented to the House of Commons, 23rd April, 1885.—*Mr. Blake*.....*Not printed.*

**25y.** Return to an Order of the House of Commons, dated 24th February, 1885, for any information in the possession of the Department as to the character of the work done near Lytton, B.C., on the Canadian Pacific Railway, on that portion of the road for which Mr. Hugh J. Keefer had a sub-contract, and which was under the inspection of his brother, Mr. George Keefer, Government engineer; also copies of any statements as to the character of the material allowed as rock or as other than earth, in this part. Presented to the House of Commons, 24th April, 1885.—*Mr. Blake*.....*Printed for Sessional Papers only.*

## CONTENTS OF VOLUME No. 10.

**25z.** Return to an Order of the House of Commons, dated 23rd February, 1885, for all reports, plans and other information in the possession of the Department in reference to the work on the Canadian Pacific Railway at or near Maple Ridge, a short distance above Hammond, on the bank of the Fraser, B.C.; for all reports and information in the possession of the Department as to the condition of the work on the Government sections of the Canadian Pacific Railway in British Columbia; and as to the extent of work remaining to be done before the completion of the contract; also for all correspondence with the Canadian Pacific Railway Company as to the taking over by them of these sections of the railway; also for a statement of the names, salaries and period of service in that region, of the Government engineers who have been employed on the Government sections in British Columbia of the Canadian Pacific Railway, with the dates at which any of them were relieved, a statement of the cause of their removal, and of their present occupation, if any, under the Government. Presented to the House of Commons, 5th May, 1885.—*Mr. Blake*.....*Printed for Sessional Papers only.*

**25aa.** Return to an Order of the House of Commons, dated 2nd of March, 1885, for copies of all applications, statements, estimates or letters sent from the Canadian Pacific Railway to the Government, or any of its officials, in relation to the change made by the Government between 7th April, 1884, and 16th May, 1884, in the dealing with rolling stock in progress estimates and payments in the Eastern Section, Western Division, and copies of all correspondence and papers upon the same subject. Presented to the House of Commons, 5th May, 1885.—*Mr. Edgar*.....*Not printed.*

**25bb.** Supplementary Return to a Standing Order of the House of Commons, passed on the 20th February, 1882, for full information on all subjects affecting the Canadian Pacific Railway up to the latest date, and particularly all details as to: 1. The selection of the route. 2. Progress of the work. 3. The selection or reservation of land. 4. The payment of moneys. 5. The laying out of branches. 6. The progress thereon. 7. The rates of tolls for passengers and freight. 8. The particulars required by the Consolidated Railway Act and amendments thereto, up to the end of the previous fiscal year. 9. Like particulars up to the latest practicable date before the presentation of the Return. 10. Copies of all Orders in Council and of all correspondence between the Government and the Railway Company, or any member or officer of either, relating to the affairs of the company. Presented to the House of Commons, 5th May, 1885, by Hon. J. H. Pope.....*Not printed.*

**25cc.** Letter and statements from George Stephen, Esq., President of the Canadian Pacific Railway Company, to the Hon. the Minister of Railways and Canals, accompanied by Mr. Miall's condensed balance sheet on the affairs of the Canadian Pacific Railway Company on the 1st January, 1885. Presented to the House of Commons, 7th May, 1885.—*Sir J. A. Macdonald*.....*Printed for both Distribution and Sessional Papers.*

- 25dd.** Return to an Order of the House of Commons, dated 6th February, 1885, for a Return of the names of persons in the employ of the Government along the line of the Canadian Pacific Railway during the year 1884, the date of their engagement, the length of time employed, the work assigned them and the salary, fee or allowance paid; also the amount of travelling expenses paid to each. Presented to the House of Commons, 8th May, 1885.—*Mr. McMullen*.....*Not printed.*
- 25ee.** Supplementary Return to an Order of the House of Commons, dated 2nd March, 1885, for copies of all applications, statements, estimates or letters sent from the Canadian Pacific Railway to the Government or any of its officials, in relation to the change made by the Government between 7th April, 1884, and 16th May, 1884, in the dealing with rolling stock, in progress estimates and payments in the Eastern Section, Western Division, and copies of all correspondence and papers upon the same subject. Presented to the House of Commons, 16th May, 1885.—*Mr. Edgar*.....*Not printed.*
- 25ff.** Return to an Order of the House of Commons, dated 2nd March, 1885, for copies of all the estimates, in detail, furnished to the Government by the Canadian Pacific Railway Company, and by the Government engineer, upon which the estimated cost of \$23,000 per mile was based for the portion of the Eastern Section from the 100th mile to the 120th mile west of Callander, giving quantities, classification and prices; also for a statement of the actual quantities, description and classification of the work from the 100th mile to the 120th mile west of Callander on the 12th August, 1884, when the subsidy and loan were paid by the Government as a completed line. Presented to the House of Commons, 16th May, 1885.—*Mr. Edgar*.....*Not printed.*
- 25gg.** Return to an Order of the House of Commons, dated 2nd March, 1885, for copies of the report of survey by Vernon Smith, C.E., in relation to the extension of the Canadian Pacific Railway to Canadian ports on the Atlantic. Presented to the House of Commons, 16th May, 1885.—*Mr. Lesage*.....*Not printed.*
- 25hh.** Return to an Address of the House of Commons, dated 12th March, 1885, for copy of all offers made to the Government for the construction of a railway connecting the Ontario railway system, at or near to Gravenhurst, with the Canadian Pacific Railway. Presented to the House of Commons, 9th June, 1885.—*Mr. Mulock*.....*Printed for Sessional Papers only.*
- 25ii.** Return to an Address of the House of Commons, dated 12th February, 1885, for a Return showing the amounts contributed to the Canada Central Railway between Ottawa and Brockville, either by the Government of Canada, the Provincial Government of Ontario, or by the municipalities along that line of railway. Also showing what securities were taken for the amounts so advanced to the said railway company, and what disposition has been made of the said securities. Also for similar returns concerning the St. Lawrence and Ottawa Railway from Ottawa to Prescott, together with the conditions upon which such grants were made to both railways; also statement showing the present train service on both lines of railway. Presented to the House of Commons, 9th June, 1885.—*Mr. Landerkin*.....*Not printed.*
- 25jj.** Supplementary Return to an Order of the House of Commons, dated 5th February, 1885, for map or maps showing: 1. The location of the Canadian Pacific Railway, so far as approved or constructed. 2. Its location, so far as proposed to Government, but not yet approved. 3. The location of any branches constructed or acquired, and of any now contemplated by the company, so far as the Government is advised. 4. The lands set apart for the company, but not yet granted. 5. The lands granted. 6. The lands applied for, but not yet set apart. Presented to the House of Commons, 11th June, 1885.—*Mr. Blake*.....*Not printed.*
- 25kk.** Return to an Address of the House of Commons, dated 12th March, 1885, for a copy of all correspondence between the Government of Quebec and the Government of Canada concerning the application of the sum of \$960,000 reserved by the statute 47 Victoria, chapter 8, for the extension of the Canadian Pacific Railway from its terminus at St. Martin's Junction to the Harbor of Quebec. Presented to the House of Commons, 15th June, 1885.—*Mr. Laurier*—*Printed for Sessional Papers only.*
- 25ll.** Return to an Address of the House of Commons, dated 9th February, 1885, for a statement showing the gross earnings, expenses and net earnings of the Canadian Pacific Railway for each month of the years 1883 and 1884, distinguishing between the main line and the lines now



worked under the lease from the Ontario and Quebec Railway Company; and distinguishing also between the main line east of Port Arthur or Fort William and the main line west of that point, giving in each case the mileage open for traffic during the month specified. Presented to the House of Commons, 16th June, 1885.—*Mr. Blake.....Printed for Sessional Papers only.*

**25mm.** Return to an Address of the House of Commons, dated 12th February, 1885, for a statement showing: 1. The expenditure by the Canadian Pacific Railway Company upon its main line of railway between Callander and Port Arthur and between Selkirk and Kamloops, since the expenditure of \$23,078,950, shown by the letter of Mr. Stephen to the Minister of Railways and Canals on the 15th January, 1884. 2. The materials on hand in respect of the described main line of railway. 3. The receipts by the company since the account given in the said letter in respect of—(a.) Cash subsidy; (b.) Government loan; (c.) Land grant bonds or land sales, or from the pledging of land grant bonds. 4. The amount, if any, due by the company in respect of construction of the described main line. 5. Estimates of the cost of the work of construction remaining to be done on the described main line, showing whether the materials on hand are taken into account in such estimates or not. 6. An estimate of the whole cost of construction of the described main line when completed. 7. Statement of the cost of equipment of the described main line at the date of the account in Mr. Stephen's letter. 8. Statement of the cost of equipment of the described main line since that date. 9. Estimate of the further cost of equipment of the described main line when completed. 10. Estimate of the complete cost of equipping the described main line. All such statements and estimates being separate for each of the described divisions, viz., (a) that between Callander and Port Arthur, and (b) that between Selkirk and Kamloops. Presented to the House of Commons, 16th June, 1885.—*Mr. Blake.....Printed for Sessional Papers only.*

**25nn.** Return to an Address of the House of Commons, dated 24th February, 1885, for a statement of the cost of the Canadian Pacific Railway from Winnipeg to a point 615 miles west of Winnipeg, divided under the usual sub-headings of cost of railway construction; or in case the company has not recorded the expense under the usual sub-headings, then divided in such a way and in such detail as the company has recorded it. Presented to the House of Commons, 16th June, 1885.—*Mr. Blake.....Printed for Sessional Papers only.*

**25oo.** Return to an Address of the House of Commons, dated 8th April, 1885, for a Return showing the date of completion of the main line of the Canadian Pacific Railway from Winnipeg to Brandon, from Brandon to Moose Jaw, from Moose Jaw to Calgary, the dates on which each section was opened for traffic, the dates on which such section was inspected by the Government engineer, with all Orders in Council, papers and correspondence affecting the tariff rates for passengers and freight upon such line, not already brought down. Presented to the House of Commons, 15th June, 1885.—*Mr. Watson.....Not printed.*

**25pp.** Return to an Address of the Senate, dated 25th February, 1885, for all correspondence had since the 1st January, 1884, between the Government of Canada and the Government of the Province of Quebec, concerning all sums of money granted by the Government of Canada to the Province of Quebec, and all claims of the Province of Quebec, by way of indemnity on account of the construction of the North Shore Railway, heretofore called the Quebec, Montreal, Ottawa and Occidental Railway, together with a copy of all memorials presented to the Federal Government during the same period by the Government of Quebec, respecting all claims or demands of indemnity for the same cause. Presented to the Senate, 16th April, 1885.—*Hon. Mr. Trudel,.....Printed for Sessional Papers only.*

**25qq.** Return to an Order of the House of Commons, dated 13th February, 1885, for a statement showing: 1. The total number of permanent timber trestles and the total number of wooden bridges constructed, or under contract for construction, upon the line of the Canadian Pacific Railway. 2. The length, in feet, and the maximum height of each of said trestles and of each of said bridges. Such statement to identify the trestles and bridges by numbering them consecutively from Sudbury westward. Presented to the House of Commons, 14th July, 1885.—*Mr. Edgar.....Not printed.*

**25rr.** Return to an Address of the House of Commons, dated 17th February, 1885, for: 1. A statement of the present position of the debt of six hundred thousand dollars, due last Session



by the North American Contracting Company to the Canadian Pacific Railway, with information as to whether the same has been settled, and if so, when and upon what terms, and if unsettled, what steps have been taken, or are being taken, to procure a settlement; also a statement of the present position of a sum of about six hundred thousand dollars invested by the Canadian Pacific Railway Company in stock of the Canada North-West Land Company, with a statement of its value, at the average price for the month of January, 1885. 2. Also plan and statement showing the grades and curves on the line of the Canadian Pacific Railway as far as constructed, including all the Government sections, but exclusive of the line constructed by the company from the foot of the Rocky Mountains to Kamloops. 3. Also a copy of the prospectus, advertisement and other papers in connection with the recent proposal for the issue of bonds of the Ontario and Quebec Railway Company, guaranteed by the Canadian Pacific Railway Company, with a statement of the amount sold and the average rate. 4. Also an estimate of the cost of the Canadian Pacific Railway between Callander and Port Arthur, divided under the usual heads of sub-divisions in railway construction, with separate estimate for equipment. 5. Also a like estimate, in similar form, of the cost of the construction of the Canadian Pacific Railway between Calgary and the summit of the Rocky Mountains, and from the summit of the Rocky Mountains to the junction with the Government section, each separately, with a statement of the items in which a saving of four million dollars upon the estimate of last Session is calculated by the officers of the company. 6. Also a statement of the expenditure by the Canadian Pacific Railway Company on any account, except the construction and equipment of the contracted line between Callander and Port Arthur, and between Selkirk and Kamloops. Presented to the House of Commons, 14th July, 1885.—*Mr. Blake*.....*Not printed.*

**25ss.** Return to an Address of the House of Commons, dated 17th February, 1885, for: 1. A statement of the expenditure of the Canadian Pacific Railway Company since the account in Mr. Stephen's letter to the Minister of Railways and Canals, 15th January, 1884, upon branch lines, specifying each line, the expenditure thereon, the purpose thereof, and the additional mileage beyond 269 miles completed at the date of Mr. Stephen's letter. 2. Statement of the cost of equipment of such branch lines; (a.) At the date of said letter; (b.) Since that time. 3. Estimate for any further cost of equipment for such branch lines so far as completed. 4. Statement in detail of the further sums paid in respect of the extensions or branches east of Callander, since the date of said letter, when they amounted to \$3,203,050. 5. A statement of the present condition of the account for advances towards acquiring a line to the seaboard, and for other purposes, alleged to be within the charter, shown by the said letter at \$3,482,251; with a detail of any further payments of a like character. Presented to the House of Commons, 18th July, 1885.—*Mr. Blake*.....*Not printed.*

**25tt.** Return to an Address of the House of Commons, dated 17th February, 1885, for copies of all correspondence and agreements between the Government and the Canadian Pacific Railway Company on the subject of immigration to Manitoba and the North-West, together with a statement showing the amount expended by the company in promoting such immigration, giving amounts paid, with dates, to whom paid, and the nature of service rendered; also estimate of the company of number of persons from foreign countries who have actually settled there in each year since date of charter. Presented to the House of Commons, 18th July, 1885.—*Mr. Paterson (Brant)*.....*Not printed.*

**25uu.** Supplementary Return to an Address of the House of Commons, dated 17th February, 1885, for: 1. A statement of the present position of the debt of six hundred thousand dollars due last Session by the North American Contracting Company to the Canadian Pacific Railway, with information as to whether the same has been settled, and, if so, when and upon what terms, and if unsettled, what steps have been taken, or are being taken, to procure a settlement; also a statement of the present position of a sum of about six hundred thousand dollars invested by the Canadian Pacific Railway Company in stock of the Canada North-West Land Company, with a statement of its value at the average price for the month of January, 1885. 2. Also plan and statement showing the grades and curves on the line of the Canadian Pacific Railway as far as constructed, including all the Government sections, but exclusive of the line constructed by the company from the foot of the Rocky Mountains to Kamloops. Presented to the House of Commons, 20th July, 1885.—*Mr. Blake*.....*Not printed.*

- 26.** Return to an Order of the House of Commons, dated 2nd February, 1885, for a Return of the receipts and expenditure, in detail, chargeable to the Consolidated Fund, from the 1st July, 1883, to the 31st January, 1884, and from 1st July, 1884, to 31st January, 1885. Presented to the House of Commons, 9th February, 1885.—*Sir Richard Cartwright*—  
*Printed for Distribution only.*
- 27.** Return to an Order of the House of Commons, dated 2nd February, 1885, for a statement showing the amount of money on deposit to the credit of the Government of Canada on the 1st February, 1885, whether in Canada or elsewhere, together with the names of the banks wherein the said moneys are deposited, with the amount in each bank respectively; also the amount at interest and the rate of interest allowed on the said deposits in each case. Presented to the House of Commons, 9th February, 1885.—*Sir Richard Cartwright*—  
*Printed for Distribution only.*
- 28.** Return to an Address of the House of Commons, dated 30th January, 1884, for copies of all Orders in Council, despatches, correspondence and telegrams relating to the negotiations between Canada and British Columbia, not already brought down; and for a statement of the estimated net cost to Canada of the dry dock in British Columbia. Presented to the House of Commons, 10th February, 1885.—*Mr. Blake*.....*Not printed.*
- 29.** Return (*in part*) to an Address of the House of Commons, dated 24th January, 1884, for copies of all Orders in Council, reports and correspondence, not already brought down, in reference to the exercise or non-exercise of the power of disallowance as to any Provincial Acts; with a statement of the dates of prorogation of each of the Provincial Assemblies; and of the dates at which the Acts of the Session were received at Ottawa; and copy of the despatches addressed to the Lieutenant-Governors on the subject of the transmission to the Government of Canada of such Acts. Presented to the House of Commons, 10th February, 1885.—*Mr. Mulock*.....*Printed for Sessional Papers only.*
- 30.** Return to an Order of the House of Commons, dated 25th February, 1884, for a detailed statement of all moneys expended upon the Dominion steamer "Sir James Douglas," in connection with the hauling out, lengthening of, repairs to, and launching of said vessel, from 1st January, 1882, to 31st December, 1883. Presented to the House of Commons, 10th February, 1885.—*Mr. Baker (Victoria)*.....*Not printed.*
- 30a.** Return to an Order of the House of Commons, dated 25th February, 1884, for a statement showing numbers of officers and crew of steamer "Sir James Douglas," their names, rank, pay and date of first appointment, the average cost per month of maintaining said vessel for the twelve months ending 31st December, 1883, nature of service in which she has been engaged for the period mentioned, increased speed obtained by lengthening, date on which she was last swung for adjustment of compasses and copy of deviation table made therefrom. Presented to the House of Commons, 10th February, 1885.—*Mr. Baker (Victoria)*.....*Not printed.*
- 30b.** Return to an Order of the House of Commons, dated 28th March, 1884, for all correspondence of a date subsequent to 1st January, 1883, upon the subjects of repairs to, hauling out, and launching of the steamer "Sir James Douglas," in the early part of said year, between the Department of Marine and Fisheries and their agents at Victoria, B.C., or between the Department and any other person or persons, in the Province of British Columbia, upon said subject; also copies of reports sent in to the Department by the agent of the Department in British Columbia, and the master of the steamer above referred to, in connection with the serious and unpleasant difference of opinion which arose between them, reflecting discreditably upon themselves and the Department. Also all correspondence upon that or any other subject between the Department and any British Columbia member or other person, in any way reflecting upon the agent of the Department in British Columbia, to date. Presented to the House of Commons, 10th February, 1885.—*Mr. Baker (Victoria)*.....*Not printed. See 30d.*
- 30c.** Return to an Address of the Senate, dated 9th April, 1884, for copies of all documents and correspondence in possession of the Government relating to the establishment of a line of steamships between France and Canada. Presented to the Senate, 24th February, 1885. *Hon. Mr. Pelletier*.....*Printed for Sessional Papers only.*



- 30d.** Return to an Order of the House of Commons, dated 28th March, 1884, for all correspondence of a date subsequent to 1st January, 1883, upon the subject of repairs to, hauling out and launching of the steamer "Sir James Douglas," in the early part of said year, between the Department of Marine and Fisheries and their agent at Victoria, B.C., and between the Department and any other person or persons in the Province of British Columbia, upon said subject; also copies of reports sent in to the Department by the agent in British Columbia, and the master of the steamer referred to, in connection with the serious and unpleasant difference of opinion which arose between them, reflecting discreditably upon themselves and the Department; also all correspondence upon that or any other subject between the Department and any British Columbia member or other person, in any way reflecting on the agent of the Department in British Columbia, to date. Presented to the House of Commons, 14th April, 1885.—*Mr. Baker (Victoria)*.....*Printed for Distribution only.*
- 30e.** Return to an Order of the House of Commons, dated 24th February, 1885, for copies in full of the accounts and vouchers of all provisions, coal and other supplies furnished the Hudson Bay steamer "Neptune" at Halifax, in July last, and copies of all the tenders upon which all the contracts were based. Presented to the House of Commons, 14th April, 1885.—*Mr. Vail*.....*Not printed.*
- 30f.** Return to an Address of the House of Commons, dated 23rd February, 1885, for copies of all reports, correspondence, contracts, Orders in Council and other papers, in connection with the arrangements under which public moneys have been paid by the Government to the Halifax Steam Navigation Company. Presented to the House of Commons, 30th April, 1885.—*Mr. Blake*.....*Not printed.*
- 31.** Return to an Address of the House of Commons, dated 28th March, 1884, for a statement showing the present constitution of the North-West Council, the number of elected members, the district for which they are elected, the number of votes polled, the names of the candidates, and the qualifications required of the voters. Presented to the House of Commons, 19th February, 1885.—*Mr. Mills*.....*Printed for both Distribution and Sessional Papers.*
- 32.** Return to an Address of the House of Commons, dated 28th March, 1884, for a statement of all moneys paid by the Dominion Government to the Local Government of Ontario since Confederation; stating the amounts in each year and stating on what account. Presented to the House of Commons, 10th February, 1885.—*Mr. Farrow*.....*Printed for Distribution only.*
- 33.** Return to an Order of the House of Commons, dated 28th March, 1884, for: 1. Correspondence, papers, draft, notarial transfer and telegram respecting Survey Contract No. 10, of L. J. E. Garon, of the season of 1881, by which Joseph Adhemar Martin, merchant, of Rimouski, has received the sum of \$800. 2. Correspondence, papers, draft, notarial transfer and telegram, between the Minister of the Interior and the said Joseph Adhemar Martin, concerning the balance remaining due on the said transfer of the said Survey Contract No. 10, of L. J. E. Garon, of the said season of 1881. Presented to the House of Commons, 19th February, 1885.—*Mr. Billy*.....*Not printed.*
- 34.** Return to an Address of the House of Commons, dated 7th February, 1884 for copies of all correspondence between the several Provincial Governments and the Dominion Government, respecting the readjustment or increase of the money subsidies paid, or to be paid, by the latter to the former, in pursuance of the confederation agreement, or of any other arrangements since made. Also copies of all petitions from the several Provincial Legislatures to the Government, or to the Parliament of Canada, and of any memorials received by the latter from the several Provincial Governments, asking for aid or assistance in money or otherwise. Also statement showing all that has been granted in money, or otherwise, by the Government of Canada to the several provinces since 1867. Presented to the House of Commons, 10th February, 1885.—*Mr. Ouimet*.....*Printed for Sessional Papers only.*
- 34a.** Return to an Address of the House of Commons, dated 5th February, 1885, to His Excellency the Governor General, praying that he will cause to be laid before the House any correspond-



ence or papers touching applications by Local Governments for advances of money on debt account, and for any papers throwing light on the reasons for the pending Bill on that subject. Presented to the House of Commons, 27th February, 1885.—*Mr. Blake—*  
*Printed for Sessional Papers only.*

**34b.** Return to an Address of the House of Commons, dated 2nd March, 1885, for copies of all correspondence since 1st January last, between the Dominion Government and the Government of the Province of Quebec, in relation to an increase or readjustment of the Dominion subsidy to the province, including any letter written to that end by one of the said Governments to the other, or by any of the Ministers thereof in relation to the subject; also of any such correspondence with any of the other Provinces of the Dominion. Presented to the House of Commons, 23rd April, 1885.—*Mr. Amyot.....**Printed for Sessional Papers only.*

**35.** Return to an Order of the House of Commons, dated 1st February, 1884, for copies of all correspondence and papers relating to any proposed or suggested reduction in letter postage in the Dominion of Canada. Presented to the House of Commons, 10th February, 1885.—*Mr. Charlton.....**Not printed.*

**36.** Return to an Order of the House of Commons, dated 11th February, 1884, for copies of all correspondence or complaints to the Postmaster-General, relative to delays or neglect of postmasters in transmitting newspapers and periodicals to the office of destination, since 1st January, 1883. Presented to the House of Commons, 10th February, 1885.—*Mr. Sproule—*  
*Not printed.*

**37.** Reports relative to the manufacturing industries in existence in Canada, submitted to the House of Commons for its information. Presented to the House of Commons, 11th February, 1885, by Sir Leonard Tilley .....*Printed for both Distribution and Sessional Papers.*

**37a.** Return to an Address of the House of Commons, dated 6th February, 1885, for copy of the commission or other authorization, Order in Council, correspondence and instructions in relation to the commission issued for the investigation of certain facts as to the condition of the industries of Canada during the last recess. Copy of the report of the commissioners, and the evidence and data obtained by them. Statement in detail of all moneys paid in respect of the commission, and an estimate in detail of all moneys payable, but as yet unpaid; dated 11th February, 1885. Presented to the House of Commons, 12th February, 1885. *Mr. Blake—*  
*Printed for both Distribution and Sessional Papers.*

**37b.** Return to an Order of the House of Commons, dated 4th February, 1885, for all returns, statements or correspondence in possession of the Government, showing the number of operatives employed in factories in the Dominion in 1878 and in 1884, together with the amount of capital invested and wages paid. Presented to the House of Commons, 16th February, 1885.—*Sir Richard Cartwright.....**Not printed.*

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**38.** Return to an Order of the House of Commons, dated 5th February, 1885, for copies of all correspondence relative to any payments, claims or allowances on any account whatever, in respect to the office of High Commissioner, not already brought down; and separate statement in detail, with dates and sums of all payments made on any such accounts in respect to the office, during its tenure by the present incumbent; an estimate in detail of all sums payable on any such accounts up to this date and yet unpaid; also copies of all correspondence not yet brought down, as to the letting or purchase of a residence for the High Commissioner, and as to the repairs and furnishing thereof, with copies of all accounts in connection with the same; a statement in detail of all sums paid in respect of such letting or purchase, or furnishing or repairs; and an estimate of all sums payable, but not yet paid, in respect thereof. Presented to the House of Commons, 12th February, 1885.—*Mr. Blake.....**Not printed.*

**38a.** Return to an Address of the House of Commons, dated 2nd March, 1884, for a copy of all correspondence between this Government and the High Commissioner in England or the representatives of the Belgian Government in this country, or from the Belgian authorities at home,

or any other correspondence and papers concerning the International Exhibition in Antwerp; and also copies of the existing tariff between Belgium and England. Presented to the House of Commons, 12th March, 1885.—*Messrs. Bergeron and Amyot*.....*Not printed.*

- 38b.** Return to an Address of the House of Commons, dated 23rd February, 1885, for a copy of any further commission or Order in Council, or correspondence touching the position or salary of the High Commissioner of Canada, not already brought down. Presented to the House of Commons, 13th March, 1885.—*Mr. Blake*.....*Printed for Sessional Papers only.*
- 38c.** Return to an Order of the House of Commons, dated 23rd February, 1885, for a Return showing amount paid out on account of High Commissioner to London since the creation of the office; showing separately the amount paid on account of residence, furniture and all fittings and additions thereto, and amount of salary paid to 1st January, 1885, and all items or allowances on account of taxes, light, fuel, travelling and other expenses, including salaries of private secretary and other servants or attendants, each item separately set out up to 1st January, 1885. Presented to the House of Commons, 7th April, 1885.—*Mr. McMullen*—*Printed for Sessional Papers only.*
- 39.** Return to an Address of the House of Commons, dated 4th February, 1885, for copy of all correspondence between the Government of Canada and the several Governments of the Australian and Tasmanian colonies, or anyone acting on their behalf, in relation to the establishing of a more direct communication and extension of trade between these colonies and Canada; also all correspondence between the Government of Canada and the British Government on the same subject. Presented to the House of Commons, 12th February, 1885.—*Mr. Mitchell*.....*Not printed.*
- 40.** Report of the operations and money expended, since the report of last Session, for the year 1884, with respect to the Census of 1881, in accordance with the provisions of section 25 of the Census and Statistics Act; also relating to mortuary statistics. Presented to the House of Commons, 12th February, 1885, by Hon. J. H. Pope.....*Not printed.*
- 40a.** A form of Census Return for the year 1885. Presented to the House of Commons, 13th February, 1885, by Hon. J. H. Pope.....*Not printed.*
- 41.** Return to an Order of the House of Commons, dated 4th February, 1885, for amount of sums advanced to the Government of the Dominion by way of loan by any banks or persons in Canada or England, as appearing on the 1st February, 1885. Presented to the House of Commons, 13th February, 1885.—*Sir Richard Cartwright*—*Printed for both Distribution and Sessional Papers.*
- 41a.** Return to an Order of the House of Commons, dated 4th February, 1885, for a Return giving names of all newspapers in which the loans of 1874, 1875, 1876, 1878 and 1884 were advertised, together with statement of length of time during which the said advertisements appeared. Presented to the House of Commons, 16th February, 1885.—*Sir Richard Cartwright*—*Not printed.*
- 41b.** Return to an Address of the House of Commons, dated 4th February, 1885, for copy of the prospectus of the loan recently issued in London; also a statement showing the amounts of the commission and other charges paid thereon, and to whom paid, together with the amount of the said loan subscribed for by the financial agents of the Dominion, or by the Bank of Montreal, with the dates of the said subscriptions, and copies of all Orders in Council connected with the said loan. Presented to the House of Commons, 16th February, 1885.—*Sir Richard Cartwright*.....*Printed for both Distribution and Sessional Papers.*
- 42.** Return to an Order of the House of Commons, dated 6th February, 1885, for copies of all correspondence, memorials, petitions or other documents relating to the abolition of the duty on grain, flour and coal during 1884 and up to the present time. Presented to the House of Commons, 13th February, 1885.—*Mr. Cameron (Middlesex)* .....*Not printed.*
- 42a.** Return to an Order of the House of Commons, dated 12th March, 1885, for a Return of the amount of duty collected on wheat, flour, cornmeal and corn, in the several ports of the Province of Nova Scotia, between the 30th June, 1884, and 31st December, 1884. Presented to the House of Commons, 18th March, 1885.—*Mr. Vail*.....*Not printed.*



- 42b.** Return to an Order of the House of Commons, dated 27th April, 1885, for: 1. Duties imposed on various articles in the old Province of Canada and duties now imposed. 2. Tariff in force in British Columbia and in Manitoba, respectively, at the time of Union. 3. Length of time such tariff continued in force after Union. Presented to the House of Commons, 15th June, 1885.—*Mr. Watson*.....*Not printed.*
- 42c.** Papers and telegrams respecting the Imperial Act for granting to Her Majesty certain duties on goods, wares and merchandise imported into this colony and its dependencies. Presented to the House of Commons, 11th July, 1885, by Hon. M. Bowell.....*Not printed.*
- 43.** Message from His Excellency the Governor General, transmitting to the House of Commons copies of all petitions, resolutions, correspondence and memorials on the matter of bankruptcy, which have been submitted to His Excellency in Council for consideration. Presented to the House of Commons, 13th February, 1885, by Sir John A. Macdonald.....*Not printed.*
- 44.** Return to an Address of the House of Commons, dated 9th February, 1885, for copy of memorial from the county council of Grey, praying for a refund of bonuses paid by municipalities of that county in aid of railways which are now used for Dominion purposes or tributary to such. Presented to the House of Commons, 13th February, 1885.—*Mr. Landerkin*—  
*Not printed.*
- 44a.** Return to an Address of the House of Commons, dated 18th March, 1885, for copies of petitions from the county council of the county of Elgin, presented to the Governor General in Council or the Minister of Railways and Canals, praying for a general measure of relief to municipalities of Ontario which have aided railways declared to be for Dominion purposes, by granting bonuses to them; and of all correspondence in reference to such petitions. Presented to the House of Commons, 8th April, 1885.—*Mr. Wilson*.....*Not printed.*
- 44b.** Return to an Address of the House of Commons, dated 16th March, 1885, for a copy of the memorial presented to the Government by the county council of the county of Simcoe, Ontario, praying for a refund of bonuses granted by the different municipalities of that county to railways that have been declared by this Parliament to be works for the general advantage of Canada, together with copies of all correspondence and other papers relating thereto. Presented to the House of Commons, 20th April, 1885.—*Mr. Cook*.....*Not printed.*
- 44c.** Return to an Address of the House of Commons, dated 27th April, 1885, for copies of the memorials presented to the Government by the delegates who waited on the Government in reference to the bonuses granted to railways declared to be for the general advantage of Canada. Presented to the House of Commons, 16th May, 1885.—*Mr. Watson*.....*Not printed.*
- 45.** Return to an Order of the House of Commons, dated 17th February, 1885, for a Return showing the quantity and value of wheat and flour imported into, and exported from the Dominion, by Provinces, during the six months ending 31st December, 1884—distinguishing, in the imports, the quantity entered for home consumption; and, in the exports, the product of Canada. Presented to the House of Commons, 24th February, 1885.—*Mr. Paterson (Brant)*...*Not printed.*
- 45a.** Return to an Order of the House of Commons, dated 6th February, 1885, for a Return showing the quantity of wheat, flour, corn and cornmeal imported into and exported from the various Provinces, from the 1st of July to the 31st December, 1884. Presented to the House of Commons, 24th February, 1885.—*Mr. Cameron (Middlesex)*.....*Not printed.*
- 46.** Return of the names and salaries, &c., of all persons appointed to or promoted in the Civil Service during the year ended the 31st December, 1884, specifying the office to which each has been appointed or promoted under the Canada Civil Service Act, 1882, section 55, sub-section 2. Presented to the House of Commons, 16th February, 1885, by Hon. J. A. Chapleau—  
*Printed for Sessional Papers only.*
- 46a.** Report of the proceedings of the Board of Examiners for the year 1884—presented to Parliament in terms of section 55 of the Canada Civil Service Act, 1882, 45-46 Victoria, chapters 4-7. Presented to the House of Commons, 16th February, 1885, by Hon. J. A. Chapleau—  
*Printed for both Distribution and Sessional Papers.*



- 46b.** Return to an Order of the House of Commons, dated 27th April, 1885, for a Return of all officers of the Civil Service, from the resident Dominion Government agent down to the messenger, in each and every Department (by Departments) in British Columbia, giving full Christian and surnames, their ages, present rank, pay, allowances, dates of appointment and promotion, made up to the 31st December, 1884, or nearest possible date. Presented to the House of Commons, 15th June, 1885.—*Mr. Baker (Victoria)*.....*Not printed.*
- 47.** Return to an Order of the House of Commons, dated 28th March, 1884, for copies of all correspondence, reports of engineers, with maps and plans, relating to the improvements required to be made in order to secure a better supply of water to the Rideau Canal, as well as to open up a large section of the country bordering on lakes in the counties of Frontenac and Addington. Presented to the House of Commons, 17th February, 1885.—*Mr. Bell*.....*Not printed.*
- 47a.** Return to an Order of the House of Commons, dated 28th March, 1884, for copies of all correspondence and reports of engineers, with maps and plans, relating to the extension of the Rideau Canal from the village of Morton to Charleston Lake and the village of Gananoque, in the county of Leeds. Presented to the House of Commons, 17th February, 1885.—*Mr. McDougald*.....*Not printed.*
- 48.** Return to an Order of the House of Commons, dated 2nd February, 1885, for all papers relating to the resignation of Capt. Ludger Bolduc, after the collision which occurred on the 20th May, 1884, between "La Canadienne" and the brig "Alliance," of Jersey; covering complaint, enquiry, report, &c., and all correspondence relating to the matter. Presented to the House of Commons, 17th February, 1885.—*Mr. Landry (Montmagny)*.....*Not printed.*
- 49.** Return to an Order of the House of Commons, dated 5th February, 1885, for a statement showing sums expended on capital account, from the 1st day of July, 1884, to the 1st day of February, 1885, and the purposes for which said sums were expended. Also for statement of the gross amount of the debt of the Dominion on the 1st day of February, 1885; and a statement of debts and assets to that date, as given in Public Accounts, pages 13 and 14. Presented to the House of Commons, 17th February, 1885.—*Sir Richard Cartwright*—  
*Printed for Distribution only.*
- 50.** Return to an Address of the House of Commons, dated 5th February, 1885, for a copy of the resignation of the Hon. Judge Meredith as Chief Justice of the Superior Court of the Province of Quebec, and of the correspondence which followed that resignation. Presented to the House of Commons, 17th February, 1885.—*Mr. Laurier*.....*Not printed.*
- 50b.** 1884. Return to an Address of the House of Commons, dated 25th January, 1884, for copies of all Orders in Council, correspondence and departmental orders, with reference to the granting, cancellation and suspension of licenses to cut timber on lands of the Indians near Fort William, on the Fort William reserve. Presented to the House of Commons, 8th April, 1884.—*Mr. Blake*.....*Printed for Distribution only.*
- 51.** Return to an Address of the House of Commons, dated 25th February, 1884, for: 1. A copy of all Orders in Council, departmental orders and correspondence, respecting the sale, lease or other disposal of the grist and saw mill owned by the Dominion and situate south of Calgary, North-West Territories, to whom disposed, when, at what price, and how paid or payable? 2. Statement showing the original costs thereof, the costs expended thereon, when the same was erected, including working expenses. 3. Statement showing the quantity of agricultural land or timber limits disposed of with said mill or mills, or to the person who purchased or obtained the same. 4. All applications for the purchase or leasing of said farm, lands and limits. 5. Statement of the machinery in said mill or mills, and the cost thereof. 6. All other correspondence in respect to said mill or mills, land and limits. Presented to the House of Commons, 17th February, 1885.—*Mr. Cameron (Huron)*.....*Not printed.*
- 52.** Return to an Order of the House of Commons, dated 28th March, 1884, for all correspondence between the Hon. P. Mitchell and the Minister of the Interior, in relation to a timber limit or limits on Jack Head River, with the plans submitted in connection therewith; also in relation to timber limits on the Lake of the Woods. Presented to the House of Commons, 19th February, 1885.—*Mr. Mitchell*.....*Not printed.*

**52a.** Return to an Order of the House of Commons, dated 30th January, 1884, for a Return showing: 1. The total number of timber licenses or permits applied for and granted or refused, since 1st February, 1883; the estimated area covered by each license or application, and the total number of square miles estimated to be covered by the timber licenses issued during the period named. 2. The amount of bonuses or premiums per square mile, and on the aggregate, paid to and received by the Government on each such license, and the total amount of bonuses or premiums received. 3. The name and residence of each applicant for a license. 4. The date of application for each license and the number of years each license is granted for. 5. The Crown dues or stumpage charged or chargeable on each license, and the kind and estimated quantity and quality of timber on each area so licensed. 6. Whether in each case, where a license or permit was granted, the berth was put up at public auction, after public notice inviting tenders was given, and was sold to the highest bidder, or whether granted upon application or tender from the grantee without inviting public competition. 7. Copies of all claims made on the Government for any such area or timber by any persons, and all petitions, remonstrances or communications sent or made to the Government respecting such areas, licenses or timber, and copies of all correspondence had with the Government respecting such claims, or in any way respecting such areas, lands, licenses or timber, and the action of the Government therein; also a copy of all maps and plans showing the location or areas of such licenses or permits. Presented to the House of Commons, 19th February, 1885.  
—*Mr. Charlton*.....*Not printed.*

**52b.** Return to an Order of the House of Commons, dated 23rd February, 1885, for a Return showing: 1. The total number of applications made, and not granted, for licenses or permits to cut timber, saw-logs, cordwood, ties and poles, within the territory lately in dispute between the Province of Manitoba and Ontario. 2. The date of each rejected application and the name and residence of each applicant. 3. The geographical location of the area applied for and not granted. 4. The offer of bonus, and of Crown dues or stumpage, in each or any case accompanying such application. 5. The reason assigned for refusal in the case of each of such rejected applications. Presented to the House of Commons, 23rd April, 1885.—*Mr. Blake*—  
*Printed for Sessional Papers only.*

**52c.** Return to an Order of the House of Commons, dated 23rd February, 1885, for a Return showing: 1. The total number of timber licenses and permits to cut timber, sawlogs, cordwood, ties or poles, on lands not within the disputed territory, applied for and refused since 1st February, 1883. 2. The date of each rejected application, and the name and residence of each applicant. 3. The geographical location of the area applied for and not granted, and the area of the same. 4. The offer of bonus, and Crown dues or stumpage in each or any case accompanying such application. 5. The reason assigned for refusal in the case of each of such rejected applications. Presented to the House of Commons, 23rd April, 1885.—*Mr. Blake*—  
*Printed for Sessional Papers only.*

**52d.** Return to an Order of the House of Commons, dated 9th February, 1885, for copies of all correspondence and regulations, not already brought down, respecting timber for settlers' fuel, applicable to the neighborhood of Moosomin, N.W.T. For all correspondence as to the demands made during the winter of 1882-83 by the Mounted Police, of twenty-five cents a load for settlers' firewood. For all correspondence concerning the demand made by a sub-agent of Mr. Stephenson during the winter of 1883-84, for fifty cents for a permit, in addition to the charge of twenty-five cents a cord. For all correspondence as to the demands made during the winter of 1884-85, including the demands of the present sub-agent, of twenty-five cents for affidavits as to how much wood each settler had burned since he first came to the locality; and for all letters and instructions from the Department or from the Winnipeg office upon these subjects. Presented to the House of Commons, 5th May, 1885.—*Mr. Blake*—  
*Printed for Sessional Papers only.*

**52e.** Return to an Address of the House of Commons, dated 23rd February, 1885, for copies of all permits, liberties or other papers given to any person or persons to cut timber in any part of the territory declared by the Order of the Queen in Council to be within the Province of Ontario; and of all Orders in Council, departmental regulations or orders relating to the matter. Presented to the House of Commons, 15th July, 1885.—*Mr. Mills* .....*Not printed.*



**52f.** Return to an Order of the House of Commons, dated 16th February, 1885, for copies of all permits, licenses or liberties given to any person or persons to cut timber in any part of the territory declared by the Order of the Queen in Council to be within the Province of Ontario. Also the name or names of the person or persons obtaining such permission, the extent of territory embraced, the amount received by the Government, and the amount, if any, still unpaid by the party or parties for such permission. Presented to the House of Commons, 15th July, 1885.—*Mr. Mills* ..... *Not printed.*

**52g.** Return to an Order of the House of Commons, dated 23rd February, 1885, for a Return showing : 1. The total number of applications for timber licenses or berths in the Province of British Columbia, and within 50 miles of the line of the Canadian Pacific Railway ; the date of such application ; the place from which it was made ; the name and address of the applicant ; the area applied for and the geographical situation of the same ; whether the application was rejected or granted, and, if rejected, the reasons assigned for the same. 2. The total number of applications for timber licenses or berths in the Province of British Columbia and transmitted to the Department of the Interior at Ottawa ; the date of such application ; the place from which it was made ; the name and address of the applicant ; the area applied for and the geographical situation of the same ; whether the application was rejected or granted, and, if rejected, the reason assigned for the same. 3. A summary statement showing the number of licenses or permits granted either upon applications made at Ottawa or made at Victoria and transmitted to Ottawa, designating when the application was made, the date of the application, and the name and address of the grantee. 4. The geographical location of the area covered by each license or permit issued, and the number of square miles embraced in each, and the aggregate amount of the same. 5. The amount of bonuses or premiums received upon each and the aggregate amount of the same. 6. Full particulars as to the Crown dues or stumpage charged or chargeable upon each license or permit issued as to whether by percentage of values or specific charges. 7. A statement in case of each license or permit issued as to whether the Government had caused a survey to be made of the same and was in possession of estimates made by its own surveyors, woodsmen or bushrangers, as to the kinds, the quantity and the quality of timber upon each area covered by such license or permit. 8. Whether in each case where a license or permit was granted, the berth was put up at public auction, after due public notice was given inviting tenders, and was sold to the highest bidder, or whether granted upon application or tender from the grantee without inviting public competition. 9. In case of application by two or more parties for the same berth, and competition between them for the purchase of the same, the name and residence of each applicant and the particulars of the tender made by each. 10. Copies of all claims, petitions, remonstrances, letters or communications made to the Government respecting such permits or licenses applied for or granted, also a copy of all maps or plans showing the location and areas of such licenses or permits. 11. A minute of all assignments of such licenses or permits recorded with the Government, with the names and residence of the assignor and the assignee and the consideration in each case paid. Presented to the House of Commons, 15th July, 1885.—*Mr. Charlton*..... *Not printed.*

**53.** Return to an Address of the House of Commons, dated 26th March, 1884, for copies of all documents, statements, &c., of a nature to afford the information asked for by the following questions :—Whether the Government has, by sale, grant, location or otherwise, disposed of the lands belonging to it in the county of Richelieu ? If so, what are the lands ; what is the extent of each lot ; to whom was it disposed ; what are the conditions of each such grant, location or sale ; what are the prices paid in each case, and when and how were the amounts paid ? Also of all documents relating to the subject matter of the said questions, and of those evidencing the said transactions. Presented to the House of Commons, 19th February, 1885.—*Mr. Amyot*—*Not printed.*

**53a.** Return to an Order of the House of Commons, dated 17th February, 1885, for a list of all the unsold Indian lands in the township of Toronto, in the county of Peel. Presented to the House of Commons, 9th March, 1885.—*Mr. Paterson (Brant)*..... *Not printed.*

**53b.** Return to an Order of the House of Commons, dated 17th February, 1885, for a statement showing all properties, islands and other lands, whether built upon or not, belonging to the Dominion Government, and situated within the limits of the county of Richelieu, the names of

the parties occupying the said properties as tenants or otherwise; the time for which such properties are leased, the annual rent and the arrears due, if any, on each such property, up to the 1st January, 1885. Presented to the House of Commons, 9th March, 1885.—*Mr. Massue—*  
*Not printed.*

**53c.** Return to an Order of the House of Commons, dated 23rd February, 1885, for a statement showing: 1. All sales of coal lands since 23rd April, 1883; the name and residence of each party to whom sales have been made; the number of acres sold to each; the price per acre received from each; the location of the land sold; the total number of acres sold, and the total amount received from such sales. 2. All leases of coal lands made since 23rd April, 1883; the name and residence of each lessee; the number of acres leased to each; the payments made by each; the location of each leasehold; the total number of acres leased; and the total sum derived from such leases, the considerations paid and royalties collected; and also from all other charges, if any. 3. Copies of all applications, correspondence, protests and written communications, in relation to coal lands sold or leased since 23rd April, 1883. Presented to the House of Commons, 31st March, 1885.—*Mr. Charlton.....Printed for Sessional Papers only.*

**53d.** Return to an Order of the House of Commons, dated 12th March, 1885, for a detailed list of all the unsold Indian lands in the township of Trafalgar, in the county of Halton. Presented to the House of Commons, 31st March, 1885.—*Mr. McCrancy.....Not printed.*

**53e.** Return to an Order of the House of Commons, dated 18th March, 1885, for a return of all properties owned by the Government for military purposes in New Brunswick disposed of or leased, since the transfer from the Imperial Government; the parties to whom sold and at what price, and as to leased properties, to whom leased, for what period and at what rents. Presented to the House of Commons, 22nd April, 1885.—*Mr. Weldon.....Not printed.*

**53f.** Return to an Order of the House of Commons, dated 4th February, 1885, for a statement showing the several amounts collected by the Dominion Government for lands sold or leased; for timber, logs or staves, cordwood, telegraph poles or other product of the forest; with the names of persons making such payments, within the bounds and limits of the western part of Ontario, as determined by the decision of the Privy Council against the claim of the Dominion Government. Presented to the House of Commons, 23rd April, 1885.—*Mr. Mackenzie—*  
*Printed for Sessional Papers only.*

**53g.** Order in Council, of the 4th June, 1883, respecting allotment of lands of various colonization companies under the land regulations, and to accord to railway companies the privilege of purchasing land south of the 54th parallel of latitude, &c. Presented to the House of Commons, 29th April, 1885, by Sir John A. Macdonald.....*Not printed.*

**53h.** Return to an Order of the House of Commons, dated 23rd February, 1885, for a return giving copies of all regulations or orders issued by the Department of the Interior concerning the sale or management of agricultural lands, timber lands, pasture lands, mineral lands and town sites, since 26th February, 1884. Presented to the House of Commons, 5th May, 1885.—*Mr. Charlton.....Not printed.*

**53i.** Return to an Order of the House of Commons, dated 12th February, 1885, for copies of all correspondence and petitions of railway companies in Manitoba and the North-West, praying for grants of land, or modifications in the condition and extent of the grants of land already conceded to them; and of all Orders in Council or agreements or letters, not already brought down, affecting or in any wise relating to any railway company in Manitoba or the North-West other than the Canadian Pacific Railway Company. Presented to the House of Commons, 5th May, 1885.—*Mr. Blake.....Not printed.*

**53j.** Return to an Order of the House of Commons, dated 23rd February, 1885, for a return showing: 1. The names of grazing land lessees who have cattle upon their leaseholds, the number of acres in each leasehold, the date of the lease, the geographical position of the area covered by each lease, the number of the lease, the number of cattle reported on each leasehold, the date when the leasehold was first stocked with cattle, and the aggregate number of acres



covered by such leases. 2. The names of grazing land lessees who have not placed cattle upon their leaseholds; the number of acres in each leasehold; the geographical position of the area covered by each lease; the number of the lease and the aggregate number of acres covered by such leases. Presented to the House of Commons, 26th May, 1885.—*Mr. Charlton—*

*Printed for Sessional Papers only.*

**53k.** Return to an Address of the House of Commons, dated 11th March, 1885, for: 1. Copy of all Orders in Council or departmental orders respecting south-east  $\frac{1}{4}$ , section 2, township 10, range 19, west. 2. Copies of all claims made to said land, and the action of the Government thereon. 3. Copies of all petitions, papers and correspondence with the Government by one Joseph Bell and one J. E. Kavanagh, and all other persons, and all replies thereto, respecting said land. Presented to the House of Commons, 26th May, 1885.—*Mr. Cameron (Huron).....Not printed.*

**53l.** Copy of an Order in Council, under date the 4th June, 1883, respecting an area of land having been allotted to colonization companies under the land regulations, &c. Presented to the House of Commons, 12th June, 1885, by Sir Hector Langevin.....*Not printed.*

**53m.** Return to an Address of the House of Commons, dated 27th April, 1885, for copies of all Orders in Council, correspondence and papers, not already brought down, touching the surrender or definition of the claims of Canada upon any of the railway lands in British Columbia, or touching any change as to the relations of Canada and British Columbia in reference to such railway lands. Presented to the House of Commons, 14th July, 1885.—*Mr. Blake.....Not printed.*

**54f.** Return to an Order of the House of Commons, dated 2nd February, 1885, for a statement showing: 1. The Christian and surnames of the present employés of the Immigration Office at Quebec, and the nature of their employment. 2. The amount of the yearly salary paid to each such employé on 31st December, 1884. 3. The amount of the yearly salary attached to the said offices on 31st December, 1877. Also all correspondence respecting the increase or non-increase of the salary of any employé of the said office between the two dates above named. Presented to the House of Commons, 20th February, 1885.—*Mr. Landry (Montmagny)—*

*Not printed.*

**54a.** Message transmitting the Report of the Royal Commission on Chinese Immigration, and the evidence taken thereon. Presented to the House of Commons, 25th February, 1885, by Hon. J. A. Chapleau.....*Printed for both Distribution and Sessional Papers.*

## CONTENTS OF VOLUME No. 12.

**54b.** Return to an Address of the House of Commons, dated 6th February, 1885, for a copy of the commission and the names of the commissioners appointed to proceed to British Columbia to enquire into and report upon the Chinese difficulty in that country. The date of the commissioners' engagement, the salary or other allowance paid them, and the amount of travelling and other expenses up to the 1st February, 1885. Presented to the House of Commons, 13th April, 1885.—*Mr. McMullen.....Not printed.*

**54c.** Return to an Address of the Senate, dated 26th March, 1885, to His Excellency the Governor General, praying that he will cause to be laid before this House a detailed statement of the expenditure incurred in connection with the recent visit of the Hon. the Secretary of State to British Columbia and California. Presented to the Senate, 13th April, 1885.—*Hon. Mr. Power.....Not printed.*

**55.** Return to an Address of the House of Commons, dated 28th February, 1883, for copies of all papers and correspondence relating to the change of mail service between Durham and Walkerton; also a statement showing the cost of the old and new service, and the comparative efficiency of each. Presented to the House of Commons, 23rd February, 1885.—*Mr. Landerkin.....Not printed.*

**55a.** Return to an Order of the House of Commons, dated 26th March, 1884, for copies of advertisement calling for tenders for carrying mails from Kamloops to Spencer's Bridge, B.C.,

dated 13th June, 1883; also copies of tenders received for such service; also copy of contract based on such tenders, and the hours of arrival and departure of mails from both places. Presented to the House of Commons, 23rd February, 1885.—*Mr. Mackenzie*.....*Not printed.*

**55b.** Return to an Order of the House of Commons, dated 30th January, 1884, for copies of any correspondence, memorial or other documents from the Board of Trade in the city of St. John, or other parties, in relation to the conveyance of mails on the night train on the St. John and Maine Railway to St. Stephen and Woodstock; also as to the conveyance of mails over the Grand Southern Railway to St. George. Presented to the House of Commons, 23rd February, 1885.—*Mr. Gillmor*.....*Not printed.*

**55c.** Return to an Order of the House of Commons, dated 3rd March, 1884, for copies of petitions and all correspondence between the Dominion Government and any person or persons, upon the subject of a daily mail service between Port Townsend, in Washington Territory, and Victoria, in the Province of British Columbia, being substituted for the semi-weekly service at present existing. Presented to the House of Commons, 23rd February, 1885.—*Mr. Baker (Victoria)*.....*Not printed.*

**55d.** Return to an Order of the House of Commons, dated 14th February, 1884, for copies of all petitions, correspondence, returns and papers, of any nature whatsoever, respecting the establishing of a daily mail service in the parishes of St. Giles, St. Patrick and St. Sylvester, in the county of Lotbinière. Presented to the House of Commons, 23rd February, 1885.—*Mr. Rinfret*.....*Not printed.*

**55e.** Agreement made 15th day of May, 1884, between Andrew Allan, Esq., of the city of Montreal, in the Province of Quebec, in the Dominion of Canada, shipowner, and Hon. John Carling, Postmaster-General of the said Dominion; and an Order in Council in relation thereto, respecting the conveyance of mails. Presented to the House of Commons, 24th April, 1885, by Hon. J. Carling.....*Printed for Sessional Papers only.*

**55f.** Return to an Order of the House of Commons, dated 23rd February, 1885, for a statement in detail of the annual cost in connection with the ocean mail service, for salaries, allowances of mail clerks and conductors, or railway post office clerks in charge of the British mails; also for all correspondence as to the landing of the post office bags containing the British mails outward bound from Canada at Derry, and the saving of loss of time effected thereby. Presented to the House of Commons, 7th May, 1885.—*Mr. Blake*.....*Not printed.*

**55g.** Return to an Order of the House of Commons, dated 16th February, 1885, for a Return showing the nature of the mail service on the Canada Southern Railway between Essex Centre and Amherstburg; also the annual amount paid to the Canada Southern Railway for mail service. Presented to the House of Commons, 7th May, 1885.—*Mr. Wigle*.....*Not printed.*

**56.** Return to an Order of the House of Commons, dated 28th March, 1884, for: 1. Copies of all correspondence and papers relating to certain charges or complaints made against J. E. Gaboury, Esquire, as postmaster of St. Césaire, and to his subsequent dismissal from the said office of postmaster. 2. A copy of the instructions given to the person who investigated the charges against said J. E. Gaboury, if any investigation took place, and a copy of the report made by such person. Presented to the House of Commons, 23rd February, 1885.—*Mr. Béchard*.....*Not printed.*

**57.** Return to an Order of the House of Commons, dated 12th February, 1885, for a statement of the receipts of the post office at St. Stephens, N.B., for the calendar year 1884; also a statement of the value of postage stamps sold at the said office. Presented to the House of Commons, 23rd February, 1885.—*Mr. Burpee (Sunbury)*.....*Not printed.*

**57a.** Return to an Order of the House of Commons, dated 27th April, 1885, for a Return showing the postal revenue at Victoria, B.C., from all sources, specifying the amount from each source, month by month, for the eight months included in the period 1st July, 1884, to 28th February, 1885. Presented to the House of Commons, 5th May, 1885.—*Mr. Baker (Victoria)*.....*Not printed.*



- 58.** Return to an Order of the House of Commons, dated 9th April, 1883, for copies of all letters, reports and other documents relating to any complaint preferred against Stephen G. Burpee, postmaster at Florenceville, N.B., since 1st January, 1879. Presented to the House of Commons, 23rd February, 1885.—*Mr. Irvine*.....*Not printed.*
- 59.** Return to an Order of the House of Commons, dated 4th February, 1885, for a return of all sugars imported at Halifax from Jamaica from the 1st of January, 1883, to the 31st of December, 1883; also a return of all sugars from Jamaica entered for the same term at Montreal, either direct or *viâ* Halifax, giving name of vessel, number of pounds landed, value for duty of each cargo, and rate of duty per 100 lbs. of each shipment. Presented to the House of Commons, 23rd February, 1885.—*Mr. Vail*.....*Not printed.*
- 59a.** Supplementary Return to an Order of the House of Commons, dated 13th March, 1885, for a Return of all sugars imported at Halifax from Jamaica, from the 1st January, 1883, to the 31st December, 1883; also a return of all sugars from Jamaica entered for the same term at Montreal, either direct or *viâ* Halifax, giving the name of vessel, number of pounds landed, value for duty of each cargo, and rate of duty per 100 lbs. of each shipment. Presented to the House of Commons, 13th March, 1885.—*Mr. Vail*.....*Not printed.*
- 60.** Return to an Order of the House of Commons, dated 2nd February, 1885, for a Return in the form used in the statement usually published in the *Gazette*, of the exports and imports from the 1st day of July, 1883, to the 1st day of January, 1884, and from the 1st day of July, 1884 to the 1st day of January, 1885, distinguishing the products of Canada and those of other countries. Presented to the House of Commons, 23rd February, 1885.—*Sir Richard Cartwright*.....*Printed for Distribution only.*
- 61.** The Governor General transmits to the House of Commons two approved Minutes in Council, dated respectively the 20th May, 1884, and the 23rd January, 1885, regarding the terms of the provisional settlement of the claims of the Province of Manitoba. Presented to the House of Commons, 23rd February, 1885, by Sir John A. Macdonald.—  
*Printed for both Distribution and Sessional Papers.*
- 62.** A detailed statement of all bonds and securities registered in the Department of the Secretary of State of Canada, under 31 Victoria, chapter 37, section 15. Presented to the House of Commons, 24th February, 1885, by Hon. J. A. Chapleau.....*Not printed.*
- 63.** Return to an Address of the House of Commons, dated 3rd February, 1885, to His Excellency the Governor General, praying that he will cause to be laid before the House copies of all correspondence between the Federal and Ontario Governments, and the Imperial Government, on the subject of the Imperial Act 21-22 Victoria, chapter 90, known as the British Medical Act, 1858; the Imperial Act 31-32 Victoria, chapter 29, known as the British Medical Amendment Act, 1868; the Imperial Act 41-42 Victoria, chapter 33, known as the Dentists Act, 1878; and the amendments proposed to be made thereto during the present Session of the Imperial Parliament. Presented to the House of Commons, 26th February, 1885.—*Mr. Bergin*—  
*Printed (condensed) for both Distribution and Sessional Papers.*
- 64.** Return to an Order of the House of Commons, dated 9th February, 1885, for a Return of all reports of Government engineers respecting the construction of a harbor of refuge at Port Stanley and Port Burwell, on the north shore of Lake Erie, together with the estimated cost of each. Presented to the House of Commons, 27th February, 1885.—*Mr. Wilson*.....*Not printed.*
- 64a.** Return to an Address of the House of Commons, dated 2nd March, 1885, for a copy of any memorials that may have been addressed to the Government with respect to the construction of a harbor of refuge at Port Rowan, in the Province of Ontario. Also for a copy of Richard Stevens' report made to the Department of Public Works on the same subject. Presented to the House of Commons, 8th April, 1885.—*Mr. Jackson*.....*Not printed.*
- 64b.** Supplementary Return to an Order of the House of Commons, dated 9th February, 1885, for a Return of all reports of Government engineers respecting the construction of a harbor of refuge at Port Stanley and Port Burwell, on the north shore of Lake Erie, together with the estimated cost of each. Presented to the House of Commons, 8th April, 1885.—*Mr. Wilson*—  
*Not printed.*

- 64c.** Return to an Order of the House of Commons, dated 16th February, 1885, for copies of all reports and communications made to the Government by the Port Credit Harbor Company; and all memorials, petitions, reports of engineers and correspondence in reference to the condition and state of repair of the said harbor. Presented to the House of Commons, 20th July, 1885.—*Mr. Platt*.....*Not printed.*
- 65.** Return to an Order of the House of Commons, dated 11th February, 1885, for copies of all reports and correspondence not already brought down, relating to the construction of the post office, Inland Revenue and Custom house at St. Thomas, giving the amount expended to date; also the names of all persons to whom any portion of the expenditure has been paid; together with the amount paid to each, and for what. Presented to the House of Commons, 27th February, 1885.—*Mr. Wilson*.....*Not printed.*
- 66.** Return to an Order of the House of Commons, dated 6th February, 1885, for a copy of the report made in 1884 by the chief engineer of the Department of Public Works, on the Church Point and Trout Cove piers. Presented to the House of Commons, 26th February, 1885.—*Mr. Vail*.....*Not printed.*
- 67.** Return to an Order of the House of Commons, dated 9th February, 1885, for copies of all correspondence, documents and reports of engineers relating to improvements of the entrance into McIsaac's Pond, Inverness, Nova Scotia. Presented to the House of Commons, 27th February, 1885.—*Mr. Cameron (Inverness)*.....*Not printed.*
- 68.** Return to an Order of the House of Commons, dated 17th February, 1885, for a statement of the amounts paid by the Government to Messrs. George and Andrew Holland, or any other persons, for services as official reporters of the Senate, or for the short-hand work of any kind outside of parliamentary reporting, since 1st January, 1882. Presented to the House of Commons, 16th March, 1885.—*Mr. Auger*.....*Not printed.*
- 69.** Return to an Order of the House of Commons, dated 6th February, 1885, for a Return showing the number of dredges, tugs and dumping scows built in the United States for the Government of Canada during the years 1883 and 1884, showing where they were built, giving the contractor's name, and the price paid for the same. Presented to the House of Commons, 27th February, 1885.—*Mr. Jackson*.....*Not printed.*
- 69a.** Return to an Order of the House of Commons, dated 8th April, 1885, for copies of all correspondence and contracts entered into relative to the purchases of tug-barges, dredge and machinery used on Red River; a detailed statement of the cost of the same, the time when the work of dredging was commenced and discontinued, the quantity of dredging completed and the depth of water drawn by the Government tug "Sir Hector." Presented to the House of Commons, 23rd April, 1885.—*Mr. Watson*.....*Not printed.*
- 70.** Return to an Order of the House of Commons, dated 9th February, 1885, for copies of departmental instructions and correspondence on the subject of apportionment of sea lots to individuals desiring to place lobster traps in the open sea off the coast of Prince Edward Island. Presented to the House of Commons, 27th February, 1885.—*Mr. Blake*—  
*Printed for Distribution only.*
- 71.** Return to an Order of the House of Commons, dated 17th February, 1885, for a statement of the amount expended in repairing the breakwater at Tracadie, Nova Scotia, from 30th June, 1884, to 31st January, 1885, giving the names of all persons to whom any portion of the expenditure has been paid, together with the amount paid to each, and for what. Presented to the House of Commons, 2nd March, 1885.—*Mr. McIsaac*.....*Not printed.*
- 71a.** Return to an Order of the House of Commons, dated 17th February, 1885, for a copy of the report made by the engineer since January, 1884, on the cost of erecting breakwaters at New Harbor and Indian Harbor, in the county of Guysboro', Nova Scotia, and also copy of report on White Haven boat canal. Presented to the House of Commons, 2nd March, 1885.—*Mr. Kirk*.....*Not printed.*
- 71b.** Return to an Order of the House of Commons, dated 9th February, 1885, for copies of all tenders for the construction of breakwater at Parrsboro' lighthouse station, in the county of



- Cumberland, N.S. ; copies of letter from Deputy Minister of Marine and Fisheries accepting the tender of one Neil McRay, and of telegram postponing the work ; also all letters objecting to the said Neil McRay as contractor and to the bondsmen offered by him, and letters tendering other names as bondsmen if required, and all other correspondence on the subject. Presented to the House of Commons, 2nd March, 1885.—*Mr. Robertson (Shelburne)*.....*Not printed.*
- 71c.** Return to Order, correspondence, reports of engineers and others, in reference to the construction of a breakwater at Salmon Point, together with lists of tenders and amount of each, and all other documents in the possession of the Government relative to the above mentioned work. Presented to the House of Commons, 23rd March, 1885.—*Mr. Platt*.....*Not printed.*
- 72.** Return to an Order of the House of Commons, dated 12th February, 1885, for a statement for the last fiscal year of the cost connected with the heating of public buildings (including wages as well as fuel) now paid under a lump vote, such statement to show the costs under the same sub-headings as those in which it was formerly included in the Public Accounts before the change in the system. Presented to the House of Commons, 2nd March, 1885.—*Mr. Blake*.....*Printed for both Distribution and Sessional Papers.*
- 73.** Return to an Order of the House of Commons, dated 6th February, 1885, for a statement showing the number of seizures made at each port of entry in the Dominion during the last fiscal year ; also during the six months ending the 31st December last ; the amount of fines exacted at each port during each of the said periods ; and the manner in which the said fines were disposed of, giving the names of the officers receiving any portion thereof, and the amount received by each of such officers out of the said fund. Presented to the House of Commons, 2nd March, 1885.—*Mr. Blake*.....*Printed for Distribution only.*
- 73a.** Return to an Order of the House of Commons, dated 2nd March, 1885, for a statement showing the seizures made at the port of Winnipeg by the Department of Customs or any of its officers or officials, between 1st January, 1883, and 1st January, 1885 ; giving the estimated value of each of such seizures, the amount of fine imposed in each case and the manner in which the said fines were disposed of, and stating, in detail, the amount paid to each officer or employé of the Government, the name of such officer or employé, and when paid, also the salary paid to each such officer or employé ; the disposal made of all such goods seized, and if sold—when, for how much, and how the proceeds were disposed of. Presented to the House of Commons, 10th March, 1885.—*Mr. Paterson (Brant)*.....*Printed for Distribution only.*
- 73b.** Return to an Order of the House of Commons, dated 12th March, 1885, for a statement showing the number of seizures made at each port of entry in Nova Scotia during the last fiscal year ; also during the six months ending the 31st December last ; and the names of the parties from whom such seizures were made, the amount of fines exacted at each port during each of the said periods, and the manner in which the said fines were disposed of, giving the names of the officers receiving any portion thereof, and the amount received by each of such officers out of the said fund. Presented to the House of Commons, 17th April, 1885.—*Mr. Stairs*—  
*Not printed.*
- 73c.** Return to an Order of the House of Commons, dated 27th April, 1885, for a Return showing seizures made at the Port of Winnipeg by the Customs officers or officials between 1st January, 1883, and 1st January, 1885, in which deposits were forfeited or goods sold after seizure ; giving the amount of each sum forfeited and the amount realized in each case in which goods were sold ; and stating in detail the name of each officer to whom any portion of the money so realized was paid, and the amount in each case thus paid to the said officer ; and also stating the salary paid such officer. Presented to the House of Commons, 18th July, 1885. *Mr. Paterson (Brant)*.....*Not printed.*
- 74.** Return to an Order of the House of Commons, dated 23rd February, 1885, for copies of all correspondence, reports, &c., in connection with the weighing and measuring of potatoes and other roots in the Province of Prince Edward Island. Presented to the House of Commons, 2nd March, 1885.—*Mr. Macdonald (King's)*.....*Not printed.*
- 75.** Return to an Order of the House of Commons, dated 12th February, 1885, for a Return of all claims presented for drawback on materials used for shipbuilding, for the year ending 30th

June, 1884; also for the six months ending 31st December, 1884; giving the name of the applicant, the name and tonnage of the vessel, the amount claimed and the amount paid. Presented to the House of Commons, 2nd March, 1885.—*Mr. Burpee (Sunbury)*—  
*Printed for Distribution only.*

**75a.** Return to an Order of the House of Commons, dated 17th February, 1885, for a Return of all claims presented up to the 1st February, 1885, for drawbacks on goods manufactured for export (since the date of the last return made to that House), showing the names of all applicants, their place of business, the articles on which the drawback was claimed, and the amount of each claim, distinguishing between the claims which have been allowed and those which have been disallowed, and those under consideration and not yet decided, and giving the reason for such disallowance. Also copies of all regulations made by the Department with reference to such claims, together with a copy of one allowed claim and the sworn declaration thereto of each exporter. Presented to the House of Commons, 6th March, 1885.—*Mr. Paterson (Brant)*—  
*Printed for Distribution only.*

**76.** Return to an Order of the House of Commons, dated 30th January, 1884, for copies of any correspondence, documents, contracts or agreements with the Pullman Palace Car Company, in relation to the company's cars running over the Intercolonial Railway; also any contract or agreement with express companies as to conveyance of express matter over the said railway. Presented to the House of Commons, 2nd March, 1885.—*Mr. Weldon*—  
*Printed for Sessional Papers only.*

**76a.** Return to an Address of the House of Commons, dated 20th February, 1885, to His Excellency the Governor General, praying that he will cause to be laid before the House a copy of the Order in Council appointing Mr. L. K. Jones secretary of the Intercolonial Railway Commission, also a copy of the recommendation on which such Order in Council was based. Presented to the House of Commons, 5th March, 1885.—*Mr. Rykert*.....*Not printed.*

**76b.** Return to an Order of the House of Commons, dated 12th February, 1885, for a return of the casualties to trains on the Intercolonial Railway arising from collision, broken rails, or otherwise, for the calendar year 1884; the respective causes and dates; the amount of damages (if any), in each case, to property; the amount of compensation paid to owners of property destroyed or damaged, as well as amount of claims for loss or damage to property (if any) unsettled. Presented to the House of Commons, 5th March, 1885.—*Mr. Burpee (Sunbury)*—  
*Not printed.*

**76c.** Return to an Order of the House of Commons, dated 23rd February, 1885, for a comparative statement of the cost of working the Intercolonial Railway for each of the years 1874, 1875, 1876, 1877, 1878, 1879, 1880, 1881, 1882, 1883 and 1884, and the number of miles operated in each year, giving for each year the cost for locomotive power, under the seven sub-headings given in the Minister's report, appendix, page 37; for car expenses, under the seven sub-headings given in the same report, same page; for maintenance, way and works, under the ten sub-headings given in the same report, page 37; for station expenses, under the three sub-headings given in the same report, same page; and for general charges, under the seven sub-headings given in the same report, page 39. Presented to the House of Commons, 9th March, 1885.—*Mr. Blake*.....*Printed for both Distribution and Sessional Papers.*

**76d.** Return to an Order of the House of Commons, dated 12th February, 1885, for a statement of the revenue and working expenses of the Intercolonial Railway, accrued for the six months of the year ending 31st December, 1884, under the several divisions, similar to Annual Statement B, Intercolonial Railway, in the Public Accounts. Presented to the House of Commons, 9th March, 1885.—*Mr. Burpee (Sunbury)*.....*Not printed.*

**76e.** Return to an Order of the House of Commons, dated 17th February, 1885, for copies of all correspondence between the Intercolonial officials or the Government and the Canada Shipping Company, or the Beaver line of steamships, with reference to the terms for through rates of freight over the Intercolonial. Presented to the House of Commons, 10th March, 1885.—*Mr. Blake*.....*Not printed.*

**76f.** Return to an Order of the House of Commons, dated 17th February, 1885, for copies of the claim of J. B. Plante, of St. Charles, Bellechasse, in relation to certain horses which he alleges



have been killed by a train of the Intercolonial Railway, and of which he demands the value; copies of the order referring the said claim to the official arbitrators, and of their enquiry, report and award; of the second reference to the said arbitrators, and of their enquiry and further report; also all documents and papers relating to the matter in question. Presented to the House of Commons, 13th March, 1885.—*Mr. Landry (Montmagny)*.....*Not printed.*

**76g.** Return to an Order of the House of Commons, dated 12th February, 1885, for a return showing the quantity of rolling stock purchased for the Intercolonial Railway during the six months of the year ending 31st December, 1884, giving each kind of rolling stock, and whether purchased under contract or otherwise, the parties from whom bought, and the cost of each kind; also a statement showing what has been built during the year in the Government workshops, giving each kind. Presented to the House of Commons, 23rd March, 1885.—*Mr. Burpee (Sunbury)*.....*Not printed.*

**76h.** Return to an Address of the House of Commons, dated 12th February, 1885, for copies of all Orders in Council, instructions to and correspondence with the commissioners under the commission issued in connection with the claims arising out of the construction of the Intercolonial Railway, and a statement of the matters referred to them, and of the moneys paid to them and to the secretary, and of the number of days during which the commissioners sat, all subsequent to the period covered by the return to the Address of last Session. Presented to the House of Commons, 31st March, 1885.—*Mr. Burpee (Sunbury)*.....*Not printed.*

**76i.** Return to an Address of the House of Commons, dated 27th April, 1885, for copies of all memorials or correspondence presented to or sent the Government by the mayors or city councils of the cities of St. John and Portland, relating to the interruption of traffic between these cities by the railway crossing on Mill Street, and for the erection of a bridge across the said street. Presented to the House of Commons, 9th June, 1885.—*Mr. Weldon*....*Not printed.*

**76j.** Return to an Order of the House of Commons, dated 27th April, 1885, for all papers, documents and correspondence respecting the claim of John D. Robertson for compensation for taking his factory, premises and land for the Intercolonial Railway, last May, at St. John; the report of Alexander Christie, as appraiser; the report of C. W. Fairweather, and others, as valuers, and the evidence taken before Mr. Compton, or any other arbitrator before whom the claim was heard. Presented to the House of Commons, 9th June, 1885.—*Mr. Mills*—*Not printed.*

**76k.** Return to an Order of the House of Commons, dated 27th April, 1885, for a Return of the freight earnings of the Intercolonial Railway for the year ending 30th June, 1884, similar to the descriptive statement of the freight earnings of the Prince Edward Island Railway, to be found on page 84 of the report of the Minister of Railways, with the addition of such other articles of freight not contained in said descriptive statement as were carried on the Intercolonial Railway. Also a comparative statement of the operation of the Intercolonial Railway for said year, showing: 1. Passenger earnings per mile of road in operation. 2. Freight earnings per mile of road in operation. 3. Gross earnings per mile of road in operation. 4. Net traffic earnings per mile of road in operation. 5. Percentage of expenses to earnings. 6. Passenger earnings per passenger train per mile. 7. Freight earnings per freight train per mile. 8. Earnings per passenger per mile. 9. Earnings per ton per mile. 10. Average distance per passenger. 11. Average distance per ton. Presented to the House of Commons, 11th June, 1885.—*Mr. Davies*.....*Not printed.*

**76l.** Return to an Order of the House of Commons, dated 12th March, 1885, for a Return of all contracts made by the Government for the erection of wire fences on the line of the Intercolonial Railway and the names of the contractors and the number of miles put under contract. Presented to the House of Commons, 11th June, 1885.—*Mr. Weldon*.....*Not printed.*

**76m.** Return to an Order of the House of Commons, dated 24th February, 1885, for a statement of all free passes over the Intercolonial Railway issued to persons not actually employed as officers or workmen on this road during the year 1884, distinguishing between annual passes, passes for a more limited period, and single or return trip; with the names of the persons to whom, the dates when, and the occasion for which the same was issued. Presented to the House of Commons, 14th July, 1885.—*Mr. Gillmor*.....*Not printed.*

- 76n.** Return to an Order of the House of Commons, dated 11th March, 1885, for a Return showing: The number of free passes or reduced fare tickets granted to parties to travel on or over the Intercolonial Railway from the 1st January, 1884, to the 1st February, 1885; the names of the parties to whom granted; the date of issue; the length of time to remain in force, and, in case of a reduced fare, the reduction made. Presented to the House of Commons, 15th July, 1885.—*Mr. McMullen* ..... *Not printed.*
- 77.** Return to an Address of the House of Commons, dated 24th February, 1885, to His Excellency the Governor General, praying that he will cause to be laid before the House a copy of the judgment of the Supreme Court in the case of the Queen against Robinson, so far as relates to the rights of the Provincial Governments to control the inland fisheries of the Dominion; and also for copies of all correspondence between the Government of the Dominion and that of the Province of Ontario in relation thereto. Presented to the House of Commons, 2nd March, 1885.—*Mr. O'Brien* ..... *Not printed.*
- 77a.** Return to an Address of the House of Commons, dated 23rd February, 1885, for a Return: 1. Of all contested cases judged upon the merits in the Supreme Court of Canada, during the twelve months ending 1st February instant. 2. Of the dates of final arguments. 3. Of the dates of final judgment. 4. Of the divisions, when such have been, among the judges at the rendering of the final judgments. Presented to the House of Commons, 9th March, 1885.—*Mr. Curran*..... *Not printed.*
- 77b.** General Rule, No. 265, of the Exchequer Court of Canada, pursuant to section 79 of the Supreme and Exchequer Court Act. Presented to the House of Commons, 10th April, 1885, by Hon. J. Costigan ..... *Not printed.*
- 77c.** Return to an Order of the House of Commons, dated 12th March, 1885, for copies of all judgments rendered by the Supreme Court, from the period when it was first established up to this date, reversing decisions of the Court of Queen's Bench of the Province of Quebec, with a succinct summary of the reasons given by the judges. Presented to the House of Commons, 17th July, 1885.—*Mr. Landry (Montmagny)*..... *Not printed.*
- 78.** Return to an Order of the House of Commons, dated 17th February, 1885, for a Return showing all sums of money paid and the dates of payment to A. F. Wood and J. A. Wilkinson, or either of them, from the first day of January, 1879, to the first day of January, 1885; the work done or services rendered as valuers or otherwise during each year, showing the number of days, weeks or months employed and the number of valuations made on the Murray Canal; the amount paid to the several parties on the recommendation or joint recommendations of them or either of them; the length of time the claims had been in existence; the amount claimed and the dates of payment, and the amount paid and the travelling and all other expenses connected therewith and paid to the said Wood and Wilkinson, or either of them, or to any other person or persons on their or either of their accounts. Presented to the House of Commons, 2nd March, 1885.—*Mr. McMullen*..... *Not printed.*
- 79.** Return to an Address of the House of Commons, dated 23rd February, 1885, to His Excellency the Governor General, praying that he will cause to be laid before the House copies of all Orders in Council, leases, correspondence and other documents in possession of the Government in reference to the leasing of the piece of property in the city of Kingston known as the Tête du Pont Barracks. Presented to the House of Commons, 2nd March, 1885.—*Mr. Platt*—*Not printed.*
- 80.** Return to an Order of the House of Commons, dated 2nd February, 1885, for copies of all documents, correspondence and contracts between the Government or its officers and the several parties tendering for the supplying of wood to the lightship at the Lower Traverse, for the years 1883 and 1884. Presented to the House of Commons, 4th March, 1885.—*Mr. Casgrain*..... *Not printed.*
- 81.** Return to an Order of the House of Commons, dated 12th February, 1885, for a statement showing the names and places of residence of all militiamen of 1812 who received their pension during the last fiscal year, and the amount paid to each of them. Presented to the House of Commons, 5th March, 1885.—*Mr. Bourassa*..... *Printed for Sessional Papers only.*



**81a.** Return to an Order of the House of Commons, dated 12th February, 1885, for a copy of the charges against Lieut.-Colonel O'Malley, of the 25th Battalion, Ontario; date of O'Malley's suspension; date of the court of enquiry into the charges; also a copy of the evidence taken before said court of enquiry, together with the report of said court to the Major-General commanding the militia; also copy of report of the Major-General commanding the militia in reference to the charges against Lieut.-Colonel O'Malley, 25th Battalion Presented to the House of Commons, 12th March, 1885.—*Mr. Wilson*.....*Not printed.*

**81b.** Return to an Order of the House of Commons, dated 2nd March, 1885, for a Return showing the number of officers, non-commissioned officers and men comprising "A," "B" "C" Batteries, the Cavalry and Infantry Schools; also the pay and allowances of the commissioned officers of said batteries and schools, with their rank and names, and distinguishing such of said commissioned officers as are graduates of the Royal Military College, the date of appointment of all said officers to the schools and of their commissions in the militia, as well as showing their qualifications and the Provinces from which they come; also return showing the expenditure on account of "A," "B" "C" Batteries, the Cavalry and Infantry Schools, from the 1st July, 1884, to 1st January, 1885, distinguishing the disbursements on account of pay and allowances, and the names of the parties to whom payments were made. Presented to the House of Commons, 13th March, 1885.—*Mr. Lister*.....*Not printed.*

**81c.** Return (in part) to an Order of the House of Commons, dated 2nd March, 1885, for a return showing: 1. Number and names of the students having passed or graduated from the Royal Military College, Kingston, in each year to date. 2. Total number of marks received by each, together with the total number possible to be obtained in each year, respectively, and the percentage of such total obtained by each pupil. 3. Number and names of those cadets who, after passing through said college, are now employed in the service of the Dominion, together with statement of the position occupied by each. 4. Number and names of cadets who have been offered employment in the service of the Dominion, and have declined the offer, together with statement of the position offered and declined by each respectively. Presented to the House of Commons, 16th March, 1885.—*Mr. Blake*—

*Printed for both Distribution and Sessional Papers.*

**81d.** Return to an Order of the House of Commons, dated 5th February, 1885, for a return of all rifle associations in the Dominion, their headquarters, the annual grant to each, with the names of the members of each of such associations. Presented to the House of Commons, 20th March, 1885.—*Mr. Bergin*.....*Not printed.*

**81e.** Supplementary Return to an Order of the House of Commons, dated 2nd March, 1885, for a Return showing: 1. Number and names of the students having passed or graduated from the Royal Military College, Kingston, in each year to date. 2. Total number of marks received by each, together with the total number possible to be obtained in each year, respectively, and the percentage of such total obtained by each pupil. 3. Number and names of those cadets who, after passing through said college, are now employed in the service of the Dominion, together with statement of the positions occupied by each. 4. Number and names of cadets who have been offered employment in the service of the Dominion, and have declined the offer, together with statement of the position offered and declined by each, respectively. Presented to the House of Commons, 27th April, 1885.—*Mr. Blake*.....*Not printed.*

**81f.** Copy of a Report of a Committee of the Honorable the Privy Council, approved by His Excellency the Governor General in Council, dated the 8th July, 1885, on a memorandum of the 30th June, 1885, from the Minister of Militia and Defence, submitting certain regulations relating to gratuities and pensions to be granted under the provisions of section 68 of the Consolidated Militia Act of 1883, to officers and men of the active militia who have been or may be killed or wounded on actual service after the 20th day of March, 1885, or who have died since that date, or may die hereafter, from illness or injuries contracted on actual service. Presented to the House of Commons, 10th July, 1885, by Hon. J. P. R. A. Caron—

*Printed for both Distribution and Sessional Papers.*

**82** Return to an Address of the House of Commons, dated 22nd February, 1885, for copies of the petition of J. Hickson, Esq., and others, relative to the continuation of the pension of the late

John Martin to his widow, and all papers in connection therewith. Presented to the House of Commons, 5th March, 1885.—*Mr. Curran*.....*Not printed.*

**83.** Return to an Address of the House of Commons, for copies of all Orders in Council, memorials and representations, on the subject of the bounty on manufactures of iron, not already brought down, together with all letters, accounts and vouchers in respect of claims made for such bounty; and statement in detail of all sums paid or allowed in respect thereof. Presented to the House of Commons, 6th March, 1885.—*Mr. Blake*.....*Printed for Sessional Papers only.*

**84.** Return to an Order of the House of Commons, dated 12th February, 1885, for copies of all papers and correspondence between the Government and D. J. Hughes, county judge of Elgin, or any other person or persons, relating to charges preferred by certain petitioners of said county, asking for a commission of enquiry into the official conduct of the said judge. Presented to the House of Commons, 6th March, 1885.—*Mr. Wilson*.....*Not printed.*

**85.** Return to an Order of the House of Commons, dated 17th February, 1885, for a Return of all certificates for liquor sold under section 99, clause 4, second part of the Canada Temperance Act of 1878, by the physicians of the several counties now under the said Act in Nova Scotia, giving the names of each physician and the names of the persons to whom certificates were granted, and the quantity supplied in each case, from 1st January, 1884, to 1st January, 1885. Presented to the House of Commons, 6th March, 1885.—*Mr. Kirk*.....*Not printed.*

**85a.** Return to an Address of the House of Commons, dated 5th February, 1885, for: 1. A copy of the Order in Council respecting the submission to the Supreme Court of the case agreed on between the Government of Canada and the Government of each of the Provinces under the Liquor License Act of 1883, and the Act to amend the Liquor License Act of 1883, as to the competency of Parliament to pass the said Acts in whole or in part. 2. A copy of the said case of the factum of the Government of Canada and of the factum of each of the said Provinces, the arguments of counsel in such case and the notes of the shorthand reporter taken during such argument. 3. A copy of the report of said court in said case. 4. All correspondence between the Government of Canada and the Government of each of said Provinces touching said case, and the submission thereof, and the report thereon; and all correspondence between said Governments before and since said report, respecting the same and the matters in dispute and so referred. Presented to the House of Commons, 11th March, 1885.—*Mr. Cameron (Huron)* .....*Printed for Sessional Papers only.*

**85b.** Return (*in part*) to an Order of the House of Commons, dated 16th February, 1885, for a statement from the records of all the votings held in various counties and cities under the provisions of the Canada Temperance Act, 1878, showing by electoral districts and the various sub-divisions thereof, the total number of names on the electoral lists, the number of votes polled for the adoption of the Act, and the number of votes polled against the adoption of the Act, with the number of the population of each such electoral district at the time of the taking of the census next preceding the vote in such electoral district. Presented to the House of Commons, 11th March, 1885.—*Mr. Fisher*.....*Not printed.*

**85c.** Return to an Address of the House of Commons, dated 2nd March, 1885, for all correspondence between this Government and the Local Government of the Province of Quebec about the working of the License Act. Presented to the House of Commons, 13th March, 1885.—*Mr. Bergeron* .....*Not printed.*

**85d.** Return to an Address of the House of Commons, dated 2nd March, 1885, for: 1. The amount of revenue derived from the importation of wines, spirits, ale, beer, porter, cordials and other liquors, during the last fiscal year. 2. The amount of revenue derived from the manufacture of the same for the same period. Presented to the House of Commons, 13th March, 1885.—*Mr. Bergin*.....*Not printed.*

**85e.** Return to an Order of the House of Commons, dated 9th February, 1885, for a Return of all certificates for liquor under section ninety-nine, clause four, second part of the Canada Temperance Act of 1878, by the physicians of the county of Halton; giving the name of each physician and the name of each person to whom certificates were granted from the first of May, 1884, to the first of February, 1885. Presented to the House of Commons, 18th March, 1885.—*Mr. McCraney*.....*Not printed.*



- 85f.** Return to an Order of the House of Commons, dated 16th February, 1885, for a statement from the records of all the voting held in various counties and cities under the provisions of the Canada Temperance Act, 1878, showing by electoral districts and the various sub-divisions thereof the total number of names on the electoral lists, the number of votes polled for the adoption of the Act, and the number of votes polled against the adoption of the Act, with the number of the population of each such electoral district at the time of the taking of the census next preceding the vote in such electoral district. Presented to the House of Commons, 23rd March, 1885.—*Mr. Fisher*.....*Not printed.*
- 85g.** Return to an Address of the Senate, dated 20th February, 1885, for a return of the amounts of revenue received from duties or excise on wine, beer and spirits, for the year ending 31st December, 1884. Presented to the Senate, 13th March, 1885.—*Hon. Mr. Plumb*....*Not printed.*
- 85h.** Return to an Address of the House of Commons, dated 27th April, 1885, for copies of all correspondence between Charles H. Lugrin and the Secretary of State, in reference to an appeal to the Supreme Court of Canada to test the constitutionality of the Canada Temperance Act, between the dates of 31st May, 1879, and 31st May, 1884. Presented to the House of Commons, 5th May, 1885.—*Mr. Burpee (Sunbury)*.....*Not printed.*
- 85i.** Return to an Order of the House of Commons, dated 5th February, 1885, for a Return showing the number of persons who applied in the year 1884 for licenses under the Liquor License Act of 1883; the total number of licenses granted in Canada, the total number in each province and in each electoral district; the total number refused a license and the reason for refusal; the total number in each province who paid part of the fee but did not take out a license; the total amount received by the Government for such licenses in Canada, in each province of Canada, and also in each electoral division; together with a statement showing what salary was paid the commissioners, inspectors and sub-inspectors under the Act, and giving the names and addresses of said commissioners, inspectors and sub-inspectors in every electoral district of Canada. Presented to the House of Commons, 23rd June, 1885.—*Mr. Landerkin*—*Not printed.*
- 85j.** Return to an Order of the House of Commons, dated 5th February, 1885, for a Return showing the names and residences of all officials appointed by the Government or the Board of License Commissioners under the Liquor License Act of 1883, and amending Act; the salary, fees and emoluments paid to each, and the aggregate costs incurred up to 1st January, 1885, under the said Act, and for carrying out and enforcing the same. 2. A statement of the name and residence of each person who obtained a license under the said Act, as well as under any local law. 3. A statement of all sums received by the Government or any persons appointed under the said Acts, up to 1st January, 1885, as license fees or otherwise, and the name and residence of the person from whom received, and the disposal made by the Government or the officials of the Government of such sums. 4. A full and detailed statement of all costs, charges and expenses paid by the Government up to 1st January, 1885, under the said Acts or in connection therewith, or arising therefrom for the purpose of carrying said Acts into effect and enforcing the same and testing the constitutionality of the said Acts. Presented to the House of Commons, 23rd June, 1885.—*Mr. Cameron (Huron)*.....*Not printed.*
- 85k.** Return to an Order of the House of Commons, dated 12th February, 1885, for a copy of all correspondence had with the Government, or any member thereof, in relation to any proposed alteration or relaxation of the provisions of the present Prohibitory Liquor Law of the North-West Territories. Presented to the House of Commons, 15th July, 1885.—*Mr. Foster*—*Printed for Sessional Papers only.*
- 86.** Return to an Address of the House of Commons, dated 6th February, 1885, for: 1. A statement showing all tolls of the Northern Railway Company of Canada, the Hamilton and North-Western Railway Company, and the Northern and Pacific Junction Railway Company, respectively. 2. Copies of the respective by-laws of such companies fixing and regulating such tolls. 3. Copies of any Orders in Council approving of any of such tolls. Presented to the House of Commons, 9th March, 1885.—*Mr. Mulock*.....*Not printed.*
- 87.** Return to an Order of the House of Commons, dated 17th February, 1885, for a Return showing the number of islands leased in the river St. Lawrence, the names of such islands, the party or

parties to whom leased, and the yearly rental payable for each of the said islands respectively. Presented to the House of Commons, 11th March, 1885.—*Mr. Wood (Brockville)*....*Not printed.*

**88.** Return to an Order of the House of Commons, dated 23rd February, 1885, for copies of all correspondence relative to the proposal to have the waters of the Muskoka lakes connected with the proposed Trent Valley Canal system by the construction of a short canal from Gravenhurst Bay to the waters of the Severn River. Presented to the House of Commons, 11th March, 1885.—*Mr. Cockburn*.....*Not printed.*

**89.** Return to an Order of the House of Commons, dated 16th February, 1885, for a statement of the various amounts of money paid by the Government of Canada, or any of the public departments, since 1882, to Henry J. Morgan, for services of any kind, or for copies of a certain book, called the "Annual Register;" together with copies of the certificate of each public official to whom such books have been delivered. Presented to the House of Commons, 11th March, 1885.—*Mr. McCraney*.....*Not printed.*

**89a.** Return to an Order of the House of Commons, dated 27th April, 1885, for a statement of all payments during 1882-83 and 1883-84 for the *Dominion Annual Register* to anyone except H. J. Morgan, with the names of the persons who received the money, and a statement of the manner in which the number of books were distributed. Presented to the House of Commons, 19th May, 1885.—*Mr. McCraney*.....*Not printed.*

**90.** Report of Progress of the Geological and Natural History Survey and Museum of Canada, containing reports and maps of investigation and surveys, for 1882-83 and 1884. Presented to the House of Commons, 11th March, 1885, by Sir John A. Macdonald—  
*Not re-printed for Sessional Papers.*

**91.** The Annual Report of the Life Association of Canada, for year ending 31st December, 1883. Presented to the House of Commons, 20th March, 1885.....*Not printed.*

**92.** A statement of affairs and list of shareholders of the British Canadian Loan and Investment Company, on the 31st December, 1884. Presented to the House of Commons, 20th March, 1885, by Sir Leonard Tilley.....*Not printed.*

**93.** Return to an Order of the House of Commons, dated 17th February, 1885, for copies of all papers connected with the sale of the Dundas and Waterloo Macadamized Road by the Government on the 15th day of March, 1884, including previous applications by any municipality or private parties for the purchase or other acquisition of the road, the conditions under which the road was offered for sale; statement, in detail, of the expenses incurred in connection with the sale, to whom sold, the amount realized and the amount and dates of the payments made by the purchaser, and the balance, if any, remaining unpaid at the date of this Order. Presented to the House of Commons, 12th March, 1885.—*Mr. Paterson (Brant)*—  
*Not printed.*

**94.** Return to an Order of the House of Commons, dated 23rd February, 1885, for a statement showing in the case of each election which has taken place since the general election of 1878 :  
1. The date of certificate of the judge or court showing the election was void, or of the communication from members that there was a vacancy, or of the member's warrant to the Clerk of the Crown in Chancery, or of any other instrument under which primary action was taken towards a new election, specifying in each case the nature of the instrument. 2. Date of receipt by the Speaker or Clerk, as the case may be, of above instrument. 3. Date of the issue of Speaker's warrant to the Clerk of the Crown in Chancery to make out a new writ. 4. Date of the receipt of the Speaker's warrant by the Clerk of the Crown in Chancery. 5. Date of the issue of new writ by the Clerk of the Crown in Chancery. 6. Date of despatch of new writ to Returning Officer. 7. Dates named in new writ for nomination and polling respectively. 8. Dates on which nomination and polling took place. 9. Date of return. 10. Date of receipt of return by Clerk of the Crown in Chancery. Presented to the House of Commons, 18th March, 1885.—*Mr. Blake*.....*Not printed.*

**94a.** Return (*in part*) to an Order of the House of Commons, dated 23rd February, 1885, for a statement respecting each election which has taken place since the general election of 1878; dated 20th March, 1885. Presented to the House of Commons, 20th March, 1885.—*Mr. Blake*—  
*Not Printed.*



- 95.** Return to an Order of the House of Commons, dated 2nd March, 1885, for: 1. Copies of the petition praying for the deepening of Bras St. Nicholas, in the county of Montmagny. 2. Statement of the amount expended in the said work, the names of the persons to whom the same was paid, the work for which such sum was paid, the date of payment, and the report, estimate or account upon which each payment was made. 3. Statement of the amount paid to Jules Bélanger in connection with the said work. Presented to the House of Commons, 13th March, 1885.—*Mr. Laurier*.....*Not printed.*
- 96.** Return to an Order of the House of Commons, dated 6th February, 1885, for copies of all correspondence, leases, agreements and statements of payments for rent or taxes, or allowances to any Government employé for the same, for a building occupied by the engineer or assistant engineers of the Trent Valley Canal on part of lot 2 west of Colborne Street and north of Frances Street, in the village of Fenelon Falls, Ontario. Presented to the House of Commons, 13th March, 1885.—*Mr. Cockburn*.....*Not printed.*
- 96a.** Return to an Address of the House of Commons, dated 17th February, 1885, for copies of all correspondence, reports to Council, Orders in Council, reports of engineers on the ground, engineers in charge, and of the chief engineer, plans and estimates of cost, in connection with the proposed Trent Valley Canal. Presented to the House of Commons, 8th May, 1885.—*Mr. Blake*.....*Printed for Sessional Papers only.*
- 96b.** Return to an Address of the House of Commons, dated 30th March, 1885, for copies of all advertisements, tenders, contracts, specifications, Orders in Council, correspondence and other papers in connection with George Goodwin's contracts in respect to the Trent Valley Canal navigation, including all accounts and letters with reference to claims for extras on such contracts. Presented to the House of Commons, 8th May, 1885.—*Mr. Blake*...*Not printed.*
- 97.** Return to an Order of the House of Commons, dated 17th February, 1885, for a statement of subsidies in cash and subventions, of whatever kind, on railways in the Province of Nova Scotia, including the island of Cape Breton, chargeable to capital account, since the date of Confederation, whether in aid of construction or acquiring of said railways, and the number of miles located in each county. Presented to the House of Commons, 13th March, 1885.—*Mr. McDougall (Cape Breton)*.....*Not printed.*
- 97a.** Return to an Address of the House of Commons, dated 6th February, 1885, for copies of all Orders in Council, reports, correspondence and papers respecting the grant or payment of any subsidies to railways other than the Canadian Pacific Railway, not already brought down; and statements, in detail, of all such payments to date. Presented to the House of Commons, 31st March, 1885.—*Mr. Blake*.....*Printed for Sessional Papers only.*
- 97b.** Orders in Council recommending the grant of Dominion lands to the Alberta and Athabasca Railway Company, to the Manitoba South-Western Colonization Railway Company, to the Qu'Appelle, Long Lake and Saskatchewan Railroad and Steamboat Company, and to the Manitoba and North-Western Railway Company. Presented to the House of Commons, 15th April, 1885, by Hon. J. H. Pope.....*Not printed.*
- 97c.** Papers, correspondence, etc., relative to grants of Dominion lands to the following railways:—Manitoba South-Western Railway Company, Manitoba North-Western Railway Company, Qu'Appelle, Long Lake and Saskatchewan Railway and Steamboat Company, Winnipeg and Hudson Bay Railway and Steamship Company, North-Western Coal and Navigation Company, North-West Central Railway Company, Qu'Appelle and Wood Mountain Railway Company, and the Portage, Westbourne and North-Western Railway Company. Presented to the House of Commons, 22nd April, 1885, by Hon. J. H. Pope.....*Not printed.*
- 97d.** Copy of an Order in Council, under date the 6th May, 1885, respecting the Manitoba and North-Western Railway Company. Presented to the House of Commons, 15th June, 1885, by Sir Hector Langevin.....*Not printed.*
- 98.** Return to an Order of the House of Commons, dated 2nd March, 1885, for a statement showing the earnings and working expenses of the Eastern Extension Railway, from New Glasgow to Port Mulgrave, Nova Scotia, for each month of the calendar year 1884, respectively. Presented to the House of Commons, 13th March, 1885.—*Mr. Cameron (Inverness)*.....*Not printed.*

- 99.** Return to an Address of the House of Commons, dated 17th February, 1885, for copies of all petitions, letters and other correspondence between the Government and any other parties, relating to the payment of wages due the laborers employed on the construction of the Cape Traverse Branch of the Prince Edward Island Railway. Presented to the House of Commons, 13th March, 1885.—*Mr. Hackett*.....*Not printed.*
- 99a.** Return to an Address of the Senate, dated 20th March, 1885, showing, in detail, the total cost of the Cape Traverse Branch Railway; including the sums paid to engineers and for superintending its construction, the rolling stock, stations and other buildings. Presented to the Senate, 20th April, 1885.—*Hon. Mr. Botsford*.....*Not printed.*
- 100.** Return to an Address of the House of Commons, dated 2nd March, 1885, for copies of all correspondence between the Government of British Columbia or any other person and the Dominion Government, in reference to the troubles among the Indians at Metlakatla, in the year 1884; also all correspondence, including the Order of Council, referring to or recommending the commutation of the sentence passed by the court in British Columbia upon the murderer of Mrs. Yeomans. Presented to the House of Commons, 18th March, 1885.—*Mr. Shakespeare and Mr. Gordon's amendment*.....*Not printed.*
- 100a.** Return to an Order of the House of Commons, dated 12th March, 1885, for: 1. Copy of form of tender for Indian supplies in the North-West for the year 1884. 2. Copies of all tenders received by the Government for such supplies in 1884. 3. The action or decision of the Government on such tenders, and the reasons therefor. 4. Copies of all contracts made by the Government with parties whose tenders have been accepted. 5. All correspondence with the Government respecting all tenders and contracts. Presented to the House of Commons, 29th April, 1885.—*Mr. Paterson (Brant)*.....*Printed for Sessional Papers only.*

## CONTENTS OF VOLUME No. 13.

- 101.** Return to an Order of the House of Commons, dated 2nd March, 1885, for a Return of all fish taken in the bay and river of Miramichi and its branches for the year ending 1st February, 1885, defining the separate quantities of each kind by weight, the places to which they were exported, and the route of transport in each case, and the average price received for each kind of fish; together with an estimate, in detail, of the several kinds of fish taken in that time. Presented to the House of Commons, 20th March, 1885.—*Mr. Macmillan (Middlesex)*—*Not printed.*
- 101a.** Return to an Address of the House of Commons, dated 6th February, 1885, for copies of all minutes of Council, reports to Council, and of correspondence between the Canadian Government and the British Government, or any of its officers or members, not already laid before Parliament, relating to the so-called fishery question, from the 1st of July, 1867, up to the time of the signing of the Washington Treaty. Presented to the House of Commons, 22nd April, 1885.—*Mr. Mulock*.....*Printed for Sessional Papers only.*
- 101b.** Return to an Order of the House of Commons, dated 12th March, 1885, for copies of all documents, plans and reports furnished to the Department of Marine and Fisheries by J. U. Gregory, in relation to the porpoise fishery of Ste. Ann la Pocatière. Presented to the House of Commons, 28th May, 1885.—*Mr. Blondeau*.....*Not printed.*
- 101c.** Return to an Order of the House of Commons, dated 27th April, 1885, for a statement of amounts paid in bounty in the years 1883 and 1884 on fish caught in Bras d'Or Lakes, in the counties of Cape Breton, Inverness, Richmond and Victoria, and number of boats drawing such bounty in each county. Presented to the House of Commons, 28th May, 1885.—*Mr. McDougall (Cape Breton)*.....*Not printed.*
- 101d.** Return to an Order of the House of Commons, dated 12th March, 1885, for a return of all leases or licenses issued by the Department of Marine and Fisheries to fish on non-tidal waters in the Province of New Brunswick; the names of the lessees or licensees, and the respective territories and streams leased or licensed, and the respective amounts of rent paid by each lessee or licensee annually. Presented to the House of Commons, 28th May, 1885.—*Mr. Weldon*.....*Not printed.*



- 101e.** Return to an Order of the House of Commons, dated 12th March, 1885, for copies of the report of Mr. Jules Gauvreau, fishery overseer, and all details relating thereto, for the year 1884. Presented to the House of Commons, 28th May, 1885.—*Mr. Blondeau.....Not printed.*
- 101f.** Return to an Order of the House of Commons, dated 12th March, 1885, for copies of the report of the enquiry made by J. U. Gregory against Mr. Clovis Caron, fishery overseer, and of all documents relating thereto. Presented to the House of Commons, 28th May, 1885.—*Mr. Blondeau.....Not printed.*
- 101g.** Return to an Order of the House of Commons, dated 12th March, 1885, for copies of the report of Mr. Clovis Caron, fishery overseer, and all details therewith connected, for the year 1884. Presented to the House of Commons, 28th May, 1885.—*Mr. Blondeau.....Not printed.*
- 101h.** Return to an Address of the House of Commons, dated 27th April, 1885, for copies of all correspondence, Orders in Council, reports and other papers in connection with the removal of Mr. J. E. Starr, of Port Williams, Nova Scotia, from the office of fishery overseer, and the appointment of his successor; and a statement of the distance between the residence of Mr. Starr and that of his successor, and of the length of the coast line of King's County, N.S. Presented to the House of Commons, 5th June, 1885.—*Mr. Blake.....Not printed.*
- 101i.** Message from His Excellency the Governor General, transmitting to the House of Commons copies of despatches, correspondence and papers having reference to the negotiations at Washington with respect to the termination of the fishery clauses of the Treaty of Washington during the year 1884 and to the present date in 1885. Presented to the House of Commons, 9th July, 1885, by Sir John A. Macdonald.....*Printed for Sessional Papers only.*
- 102.** Return to an Address of the House of Commons, dated 2nd March, 1884, for copies of all correspondence, reports, Orders in Council, statements of accounts and other documents in the possession of the Government relating to the claim of the Government against the Allan Steamship Company for services rendered by the steamer "Newfield," in 1881, with a statement of the Government claim and the amount received in liquidation thereof. Presented to the House of Commons, 20th March, 1885.—*Mr. Forbes .....Not printed.*
- 103.** Return to an Order of the House of Commons, dated 2nd February, 1885, for copies of the complaint, correspondence, documents and reports, relating to the enquiry respecting Captain Alphonse Miville DeChêne about the year 1879, at St. Roch des Aulnets. Presented to the House of Commons, 20th March, 1885.—*Mr. Casgrain.....Not printed.*
- 104.** General statements and returns of baptisms, marriages and burials for certain districts of the Province of Quebec, for the year 1884. Presented to the House of Commons, 20th March, 1885, by Hon. J. H. Pope.....*Not printed.*
- 105.** Return to an Order of the House of Commons, dated 2nd March, 1885, for a statement of the quantity and value of coal purchased in 1883 and 1884 for the use of the public buildings at Ottawa, including Rideau Hall, showing from whom purchased, the price paid per ton, the kind of coal, and where produced. Presented to the House of Commons, 23rd March, 1885.—*Mr. Kirk.....Not printed.*
- 105a.** Return to an Order of the House of Commons, dated 12th March, 1885, for a Return of all animal charcoal imported into the Dominion, whether as fertilizers or for manufacturing purposes, the value of each kind, and the duties collected thereon at the respective ports of the Dominion, for the last fiscal year ending 30th June, 1884. Presented to the House of Commons, 27th April, 1885.—*Mr. Stairs.....Not printed.*
- 105b.** Return to an Order of the House of Commons, dated 12th March, 1885, for copies of all notices asking for tenders for supplying the fog-whistles and lighthouses in the Bay of Fundy and on the south shore of Nova Scotia with coal; copies of tenders submitted, names of party or parties whose tenders were accepted; copies of all vouchers, bills of lading and receipts upon which moneys were paid, and all other information in the Department in reference to this service. Presented to the House of Commons, 27th April, 1885.—*Mr. Robertson (Shelburne).....Not printed.*

- 105c.** Return to an Order of the House of Commons, dated 12th February, 1885, for a return giving a full statement of all coal entered ex-warehouse, free for exportation, during the year ending 30th June, 1884, showing the quantity so entered at each port; the names of persons having entered; the quantities ex-warehoused by each person, and, if exported, the name of the vessel or railroad by which exported; the place to which exported, and copies of all the cancelling certificates, showing that such coal had been landed in the ports to which exported. Presented to the House of Commons, 7th May, 1885.—*Mr. Burpee (Sunbury)*.....*Not printed.*
- 105d.** Return to an Order of the House of Commons, dated 12th March, 1885, for a return of the quantity of coal carried from the Spring Hill Coal Mines by the Intercolonial Railway from 1st January, 1884, to 31st December, 1884, showing the distance carried, the several places where delivered, and the rate per ton or per car for the carriage thereof from the mines to the several points of delivery. Presented to the House of Commons, 14th July, 1885.—*Mr. McMullen* .....*Not printed.*
- 106.** Return to an Order of the House of Commons, dated 24th February, 1885, for copies of all correspondence exchanged between the Department of Public Works and any person whomsoever, in relation to the construction of a wharf at Pointe aux Trembles, in the county of Portneuf. Presented to the House of Commons, 23rd March, 1885.—*Mr. De St. Georges*—*Not printed.*
- 106a.** Return to an Order of the House of Commons, dated 12th March, 1885, for a return of the wharfage collected at the Digby Pier from the 1st January, 1884, to the 31st of December, 1884. Also a return of the wharfage collected at the Metaghan River Pier, in the county of Digby, for the same period. Presented to the House of Commons, 16th April, 1885.—*Mr. Vail*—*Not printed.*
- 107.** Return to an Order of the House of Commons, dated 23rd February, 1885, for copies of correspondence, petitions, reports of engineers, lighthouse inspectors and others, in reference to change in dimensions of location of the lighthouses known as "Range Lights," at Weller's Bay, Ontario. Presented to the House of Commons, 23rd March, 1885.—*Mr. Platt*—*Not printed.*
- 107a.** Return to an Order of the House of Commons, dated 27th April, 1885, for a return of any memorials or correspondence with the Department of Marine and Fisheries in reference to the site of the new lighthouse at Quaco, built in place of a former one destroyed by fire; showing what was the purchase money paid for the present site, and to whom paid; and showing also who is the present keeper of the light, when appointed, and at what salary. Presented to the House of Commons, 5th June, 1885.—*Mr. Weldon*.....*Not printed.*
- 107b.** Return to an Order of the House of Commons, dated 27th April, 1885, for copies of all correspondence and complaints regarding the management of Bird Island Light, Victoria, Nova Scotia, during the past two years. Also the reports of the several superintendents of lights during the above period, and the evidence taken before the several superintendents regarding the management of the said Bird Island Light. And also the name of the person (if any) now in charge of said light, and the amount of salary paid to such keeper, and if he is permanently engaged. Presented to the House of Commons, 8th June, 1885.—*Mr. Campbell (Victoria)*.....*Not printed.*
- 108.** Return to an Address of the House of Commons, dated 23rd February, 1885, for copies of all Orders in Council, leases, correspondence and other documents in possession of the Government, in reference to the leasing of the piece of property in the city of Kingston known as the Market Battery. Presented to the House of Commons, 23rd March, 1885.—*Mr. Platt*—*Not printed.*
- 109.** Return to an Order of the House of Commons, dated 17th February, 1885, for a copy of the document or instrument containing the assurance received by the Government on or about the 17th day of April last from the Grand Trunk Railway Company, referred to by the Right Hon. Sir John A. Macdonald on that day in his place in this House, to the effect that the Grand Trunk Railway Company would set aside one million pounds sterling for the purpose of double



tracking the line of the Grand Trunk Railway between Montreal and Toronto. Also copy of the report of the denial of the said assurance and of the statements alleged to have been made in respect of it, by Sir Henry Tyler, the president of the said company, at the meeting thereof held in London, England, shortly after the said announcement; and copies of all correspondence between the Government and any official of the said company respecting the said assurance. Presented to the House of Commons, 23rd March, 1885.—*Mr. Mitchell*.....*Not printed.*

**109a.** Return to an Order of the House of Commons, dated 28th March, 1884, for a statement showing the names of all stockholders in the Grand Trunk Railway of Canada, with the amounts of stock held by each of said stockholders, at the close of the first year after the charter was granted or operations commenced. Also the names of all stockholders in said company and the amounts of stock held by each on the first day of the current year. Presented to the House of Commons, 31st March, 1885.—*Mr. Mitchell*.....*Not printed.*

**109b.** Return to an Order of the House of Commons, dated 24th February, 1885, for a statement in detail of the several casualties or accidents, whereby passengers were injured or killed, which have occurred on the Grand Trunk Railway and any of its branches, and the Canadian Pacific Railway and any of its branches, from the 1st day of January, 1884, to the 1st day of January, 1885, stating in detail where and when such casualties occurred, the number of persons killed in each casualty, also number injured, stating whether seriously or otherwise, the several amounts paid, and to whom paid, as damages in each accident, whether any law suits for recovery of damages are pending, and stating in detail what amounts are still claimed thereon; also the causes of such accidents. Presented to the House of Commons, 16th April, 1885.—*Mr. Mitchell*.....*Not printed.*

**109c.** Supplementary Return to an Order of the House of Commons, dated 24th February, 1885, for a statement, in detail, of the several casualties or accidents, whereby passengers were injured or killed, which have occurred on the Grand Trunk Railway and any of its branches, and the Canadian Pacific Railway and any of its branches, from the 1st day of January, 1884, to the 1st day of January, 1885, stating, in detail, where and when such casualties occurred, the number of persons killed in each casualty, also number injured, stating whether seriously or otherwise, the several amounts paid, and to whom paid, as damages in each accident, whether any lawsuits for recovery of damages are pending, and stating, in detail, what amounts are still claimed thereon; also the causes of such accidents. Presented to the House of Commons, 20th April, 1885.—*Mr. Mitchell*.....*Not printed.*

**109d.** Return (*in part*) to an Order of the House of Commons, dated 24th February, 1885, for copies of the returns as required to be made under the Consolidated Railway Act of 1879, and the Acts in amendment thereof, of 1881 and 1884, by the Grand Trunk Railway Company, for the fiscal year 1883-84, in each year separately; and—1. The number of miles of main line of Grand Trunk, with statement of actual total cost of construction and equipment thereof. The separate cost per mile of construction thereof, without rolling stock. The total amount of capital account now standing against the said railway, including its equipment. 2. A statement, in detail, showing the several branches or side lines now owned by the said company, including the number of miles in each, with the amounts severally paid for each. How such amounts were paid; whether paid in cash or securities, and the statement and character thereof, in detail. The amount for which each of such securities was sold, and the net amounts which were realized in each. 3. A statement, in detail, of any railway line or lines leased by the Grand Trunk Company or agreed to be worked by them on a percentage of earnings or other terms, with the length of each of such lines and the conditions, in detail, of the agreements in relation thereto. 4. A statement, in detail, of any interest the Grand Trunk Railway may have in any other railway or railways, with the securities, in detail, that they may hold in relation thereto. 5. A statement in detail of the net earnings of each of the railways mentioned in the four preceding clauses, after the payment of working expenses, for the past financial year, of each of the said railways, with a statement, in detail, of the percentage that working expenses bear in each case to the gross earnings. 6. Whether any and what amounts were paid by the Grand Trunk Company towards the construction of the Toronto and Ottawa Railway, and the amount thereof, with the statement of the gross, as well as the net, earnings of the said railway for the past financial year of the said railway; and a statement of where

- these funds came from; also a statement as to where they appear in the accounts of the Grand Trunk Company's accounts or returns. Presented to the House of Commons, 5th May, 1885.—*Mr. Mitchell*.....*Not printed.*
- 110.** Return to an Order of the House of Commons, dated 12th March, 1885, for a Return showing all properties or rooms leased by the various branches of the Public Service from private parties or companies in the city of Ottawa, stating the amount of rental paid in each case; also the purposes for which such properties or rooms are used. Presented to the House of Commons, 24th March, 1885.—*Mr. Somerville (Brant)*.....*Not printed.*
- 111.** Return to an Address of the House of Commons, dated 6th February, 1885, for copy of the lease of the Northern and Pacific Junction Railway Company to the Northern Railway Company of Canada and Hamilton and North-West Railway Company, or either of them. Presented to the House of Commons, 24th March, 1885.—*Mr. Mulock*—  
*Printed for Sessional Papers only.*
- 112.** Return to an Order of the House of Commons, dated 9th February, 1885, for a statement in detail showing amount of work done, contracts made and with whom, moneys paid and to whom, and all expenditures in connection with the improvements of Great Village River, in the county of Colchester, Nova Scotia. Presented to the House of Commons, 24th March, 1885.—*Mr. Robertson (Shelburne)*.....*Not printed.*
- 113.** Return to an Order of the House of Commons, dated 12th March, 1885, for: 1. The names of all persons who tendered for the construction of the drill shed at Quebec. 2. The amount asked by each person so tendering. 3. The amount of the cheque deposited by each such person in support of his tender, with the names of the signers and endorsers of each cheque, and the names of the several banks by which such cheques were accepted. Presented to the House of Commons, 26th March, 1885.—*Mr. Landry (Montmagny)*.....*Not printed.*
- 114.** Return to an Order of the House of Commons, dated 12th March, 1885, for a copy of report of the Superintendent of Burlington Bay Canal of the soundings taken during the summer of 1884, the plottings and cross-sections made, showing the present conformation of the bottom of the said canal, together with a statement showing the depths on both sides, as well as all plans giving information in reference to said soundings. Presented to the House of Commons, 26th March, 1885.—*Mr. Robertson (Hamilton)*.....*Not printed.*
- 115.** Return to an Order of the House of Commons, dated 17th February, 1885, for a report of the Auditor General and also one McGee, as well as for all papers, letters, accounts, cheques and newspapers connected with any claim of Staff Commander Boulton against the Department of Marine and Fisheries or the Government for any amount of money which he alleges to be due him for salary or otherwise, or which he asserts has been withheld from him, or in relation to any dispute between said Boulton and any officer of the Marine and Fisheries Department in regard to cheques drawn in favor of said Boulton. Also a Return to an Order of the House of Commons, dated 2nd March, 1885, for a return of any papers or letters in the hands of the Government signed by Deputy Minister Smith, bearing on the subject of dispute or irregularity between Deputy Minister Tilton and Staff Commander Boulton, or in any way relating thereto; also copies of any letters addressed to Mr. Tilton by Mr. Smith, as Deputy Minister, on the subject. Presented to the House of Commons, 30th March, 1885.—*Mr. McMullen*.....*Not printed.*
- 116.** Papers and correspondence, up to the present time, with respect to the commission recently appointed to investigate and report upon the claims existing in connection with the extinguishment of the Indian title preferred by half-breeds resident in the North-West Territories outside of the limits of the Province of Manitoba, previous to the 15th day of July, 1870. Presented to the House of Commons, 20th April, 1885.—*Mr. Blake*.....*Printed for Sessional Papers only.*
- 116a.** Copy of commission appointing commissioners to make enumeration of half-breeds in the North-West Territories previous to the 15th July, 1870. Presented to the House of Commons, 22nd April, 1885, by Sir John A. Macdonald.....*Printed for Sessional Papers only.*
- 116b.** Certified copy of a Report of a Committee of the Honorable the Privy Council, approved by His Excellency the Governor General in Council on the 19th April, 1885, for instructions



given to the three commissioners appointed to proceed to the North-West to enquire into and adjudicate upon the claims of the half-breeds and others in the Saskatchewan settlement. Presented to the Senate, 20th April, 1885.—*Hon. Mr. Alexander*—  
*Not printed. See 116.*

**116c.** Papers and correspondence in relation to claims for land in the Prince Albert district, North-West Territories. Presented to the House of Commons, 27th April, 1885.—*Mr. Blake.*  
*Not printed.*

**116d.** Return to an Order of the House of Commons, dated 7th March, 1883, for copies of all correspondence and memorials relating to the claims of the inhabitants of Prince Albert and the neighboring districts, in the North-West Territories, in respect of the lands they occupy, and to other matters affecting their condition. Presented to the House of Commons, 5th May, 1885.—*Mr. Blake*.....*Not printed.*

**116e.** Papers and correspondence in connection with half-breed claims and other matters relating to the North-West Territories. Presented to the House of Commons, 11th June, 1885.—*Mr. Blake*.....*Printed for Sessional Papers only.*

**116f.** Papers and correspondence in connection with half-breed claims and other matters relating to the North-West Territories. Presented to the House of Commons, 22nd June, 1885.—*Mr. Blake*.....*Printed for Sessional Papers only.*

**116g.** Papers and correspondence in connection with half-breed claims and other matters relating to the North-West Territories. Presented to the House of Commons, 30th June, 1885.—*Mr. Blake*.....*Not printed.*

**116h.** Copy of the Official Report from Major-General Middleton, C.B., commanding the North-West field forces, concerning the engagements at Fish Creek on the 24th April, 1885; Pound-maker's Camp (near Crees' Reserve), 2nd May, 1885; and Batoche, 9th, 10th, 11th and 12th May, 1885. Presented to the House of Commons, 6th July, 1885, by Hon. J. P. R. A. Caron—  
*Printed for Distribution only.*

**116i.** Plan and Views of Engagement at Fish Creek on the 24th April, 1885. Presented to the House of Commons, 16th July, 1885, by Hon. J. P. R. A. Caron.....*Not printed.*

**117.** Return to an Order of the House of Commons, dated 12th March, 1885, for copies of all reports, correspondence, petitions, &c., in reference to the seizure of the schooner "Lion," of the Port of Barrington, in Nova Scotia, in December, 1883. Presented to the House of Commons, 31st March, 1885.—*Mr. Robertson (Shelburne)*.....*Not printed.*

**118.** Return to an Order of the House of Commons, dated 12th March, 1885, for all correspondence with reference to the making of a road on the Indian Reserve at Fort William, Ontario, and the expenditure thereon of funds belonging to the Indians, and particularly with reference to the payments to be made to the licensees, for stumpage or otherwise, for the timber required in the construction of the bridges on the road. Presented to the House of Commons, 7th April, 1885.—*Mr. Blake*.....*Not printed.*

**118a.** Return to an Address of the House of Commons, dated 27th April 1885, for copies of all correspondence and Orders in Council in any way bearing upon the subject of purchase or offers of purchase of Indian reserve lands in British Columbia, of a date subsequent to 1st June, 1882. Presented to the House of Commons, 30th June, 1885.—*Mr. Baker (Victoria)*—  
*Not printed.*

**119.** Return to an Order of the House of Commons, dated 23rd March, 1885, for a Return showing, if any, and, if so, what sum or sums of money have been paid to J. E. Collins for services rendered to the Government; also showing travelling and other expenses paid him, if any; and showing in what position or capacity he is employed. Presented to the House of Commons, 8th April, 1885.—*Mr. McMulhen*.....*Not printed.*

**120.** Return to an Order of the House of Commons, dated 23rd March, 1885, for copy of the record in the matter of Eugene Gosselin, of St. Charles de Bellechasse, *versus* the Queen, as it stands

in the office of the Supreme Court of Canada, including the proceedings before the Exchequer Court and before Dominion Arbitrators. Presented to the House of Commons, 8th April, 1885.  
—*Mr. Amyot*.....*Not printed.*

**121.** Return to an Address of the House of Commons, dated 12th March, 1885, for copies of petitions or correspondence in reference to making Ridgetown a port of entry. Presented to the House of Commons, 21st April, 1885.—*Mr. Casey*.....*Not printed.*

**122.** Return to an Order of the House of Commons, dated 23rd March, 1885, for a Return of all sums (apart from his salary as county judge) which have been paid to G. M. K. Clarke in each of the years 1879, 1880, 1881, 1882, 1883 and 1884, respectively, and for what services in each year; also what sums, if any, have been paid him from the 1st January, 1884, to this date. Presented to the House of Commons, 13th April, 1885.—*Sir Richard Cartwright*—*Not printed.*

**123.** Return to an Address of the House of Commons, dated 23rd March, 1885, for copies of all correspondence having reference to the appointment of a joint commission with the United States Government for surveying the boundary line between the Province of British Columbia and the United States Territory of Alaska. Presented to the House of Commons, 13th April, 1885.—*Mr. Gordon*.....*Not printed.*

**123a.** Return to an Address of the House of Commons, dated 12th March, 1885, for copies of all correspondence with the Government of British Columbia and Imperial Government, in relation to the eastern boundary of that province. Presented to the House of Commons, 5th May, 1885.—*Mr. Mills*.....*Not printed.*

**123b.** Return to an Address of the House of Commons, for copies of all Orders in Council, Imperial, Canadian or provincial, in the hands of the Government, and not already laid before Parliament, relating to the disputed boundaries of Ontario. Also all despatches and correspondence with any of the provinces and with the Imperial Government upon the same subject. Presented to the House of Commons, 23rd June, 1885.—*Mr. Mills*—*Printed for Sessional Papers only.*

**124.** Return to an Order of the House of Commons, dated 4th February, 1885, for all Customs collections in Algoma during the six months ending 31st December, 1884, showing the amount collected at Port Arthur and its outports, and at Sault Ste. Marie and its outports, respectively; also the amount collected at Spanish River and such other stations in Algoma as report to Collingwood. Presented to the House of Commons, 13th April, 1885.—*Mr. Dawson*.....*Not printed.*

**125.** Return to an Order of the House of Commons, dated 17th February, 1885, for all correspondence from 1st January, 1884, to 1st January, 1885, between W. H. Rogers, inspector of fisheries for Nova Scotia, also Mr. Sellon, overseer of river fisheries for Liverpool, Queen's county, Nova Scotia, also between John Millard, J. Newton Freeman, S. J. R. Bill and others, and the Government or Department of Marine and Fisheries, in reference to a breach of the "Sawdust Law," by putting mill rubbish and shingle shavings into the Mersey River; showing also what fines have been imposed and how many collected; if not collected, whether remitted. Presented to the House of Commons, 16th April, 1885.—*Mr. Forbes*.....*Not printed.*

**125a.** Return to an Order of the House of Commons, dated 1st April, 1885, for copies of all correspondence and reports from W. H. Rogers, inspector of fisheries for Nova Scotia, to the Department of Marine and Fisheries, relating to the adoption of Rogers' patented fish ladder, and the places at which the said inspector recommends that it should be placed; also any instructions from the Department concerning the same. Also a statement of moneys claimed or paid, as a royalty or otherwise, on account of patent fishway, stating by whom and to whom such moneys were paid, together with an account of any other moneys paid by the Department, and to whom, towards the construction of Rogers' fish ladder, the Return to cover the years 1880, 1881, 1882, 1883 and 1884. Presented to the House of Commons, 30th June, 1885.—*Mr. Robertson (Shelburne)*.....*Not printed.*

**126.** Return to an Order of the House of Commons, dated 9th February, 1885, for the names of all Government officials in the North-West Territories, the date of their appointment, and the



date upon which they entered upon their respective duties; the salary, fee or other allowance granted to each, including travelling or other expenses; the names and respective locations of sheriffs and registrars, the date of their respective appointments, and the date upon which they entered upon their duties, and the date from which their salary commenced to run; the receipts of their respective offices, monthly or annually, from their establishment up to the 1st of January, 1885. Presented to the House of Commons, 16th April, 1885.—*Mr. McMullen*.....*Not printed.*

- 127.** Return (*in part*) to an Order of the House of Commons, dated 2nd March, 1885, for copies of all advertisements for tenders, of all specifications, and of all tenders received for fog horns and letter box fronts, from 1st January, 1884, to 31st January, 1885; also of all correspondence, contracts, accounts, receipts and documents relating to the furnishing of such fog horns and letter box fronts. Presented to the House of Commons, 16th April, 1885.—*Mr. Laurier*—*Printed for Distribution only.*

- 127a.** Supplementary Return to an Order of the House of Commons, dated 2nd March, 1885, for copies of all advertisements for tenders, of all specifications, and of all tenders received for fog horns and letter box fronts, from 1st January, 1884, to 31st January, 1885; also of all correspondence, contracts, accounts, receipts and documents relating to the furnishing of such fog horns and letter box fronts. Presented to the House of Commons, 22nd April, 1885.—*Mr. Laurier*.....*Not printed.*

- 127b.** Return to an Order of the House of Commons, dated 2nd March, 1885, for copies of all correspondence between the Government and one Captain Conally, or any other person, in regard to placing a fog horn or fog whistle on what is called the Dummy Lighthouse, near the head of Lake Erie. Presented to the House of Commons, 5th May, 1885.—*Mr. Jackson*—*Not printed.*

- 127,** 1880. Return to an Address of the House of Commons, dated 23rd February, 1880, for a copy of any Order or Orders in Council approving of the treaties made with the Indian tribes at Forts Carlton and Pitt in the year 1876, and of all despatches from the Minister of the Interior or his Deputy to the Commissioners, or any of them, communicating the same to them, and having reference to the terms embodied in such treaties, together with the replies of the said Commissioners, or any of them, to such despatches. Presented to the House of Commons, 5th April, 1880.—*Mr. White (Cardwell)*.....*Printed for Distribution only.*

- 128.** Return to an Order of the House of Commons, dated 17th January, 1885, for copies of all correspondence between the Government and the Captain of the Life Saving Service at Port Rowan, Province of Ontario, not already brought down. Presented to the House of Commons, 22nd April, 1885.—*Mr. Jackson*.....*Not printed.*

- 128,** 1880. Return to an Address of the House of Commons, dated 23rd February, 1880, for copies of all despatches from the Lieutenant Governor of Manitoba, relating to the reserve promised under the provisions of Treaty No. 1, relating to the reserve stipulated thereby to be assigned to the band of Indians in Manitoba of whom Yellow Quill was Chief; and of all correspondence and despatches from the Secretary of State, the Minister of the Interior, or the Deputy Minister of the Interior, addressed to the said Lieutenant Governor in reply or in relation thereto; also correspondence between the Government of Canada and the Hudson Bay Company on the subject. Presented to the House of Commons, 5th April, 1880.—*Mr. White (Cardwell)*.....*Not printed.*

- 129.** Return to an Order of the House of Commons, dated 3rd March, 1884, for a Return showing the names, rank, present positions occupied, length of service at sea, of each individual who has received a certificate of either competency or service under the Act passed last Session, making provision for the examination of masters and mates of coasters and inland waters, from the passage of said Act to the nearest possible date, for each and every province of the Dominion; as also a statement giving dates and names of applicants who have been refused certificates of service, or whose certificates have been for some reason withheld, and the reasons for such refusals or retentions. Presented to the House of Commons, 22nd April, 1885.—*Mr. Baker (Victoria)*.....*Not printed.*

- 30.** Return to an Address of the House of Commons, dated 17th February, 1885, for copies of all Orders in Council, despatches and correspondence between the Government of Canada and the United Kingdom, and between the Government of Canada and Her Majesty's Ambassador at Washington, not already brought down, relating to the subject of extradition and extradition arrangements. Presented to the House of Commons, 23rd April, 1885.—*Mr. Blake—Printed for Sessional Papers only.*
- 30a.** Return to an Address of the House of Commons, dated 9th February, 1885, for a statement with reference to the cases in which demands for extradition have been made by or upon the Government of Canada, or in which extradition proceedings have been taken in continuation of, and in the same form as, the statement transmitted by the Government of Canada to the Government of the United Kingdom, in or about the year 1876. Presented to the House of Commons, 5th May, 1885.—*Mr. Blake.....Printed for Sessional Papers only.*
- 31.** Return to an Address of the House of Commons, dated 20th February, 1885, for a copy of the Order in Council creating the Forestry Commission, and appointing Mr. J. H. Morgan as such commissioner; also a copy of the recommendation on which such Order in Council was based. Presented to the House of Commons, 23rd April, 1885.—*Mr. Rykert.....Not printed.*
- 31a.** Return to an Address of the House of Commons, dated 17th February, 1885, for a copy of Order in Council appointing J. H. Morgan as Forestry Commissioner; also copy of instructions accompanying the same; also date of report from the said J. H. Morgan which appears as part of the last report of the Minister of the Interior, and copies of any subsequent reports; and the date on which the same were received by the Department; also statement of any payments made to the said J. H. Morgan subsequent to those appearing in the Public Accounts of 1884. Presented to the House of Commons, 26th May, 1885.—*Mr. Paterson (Brant)—Not printed.*
- 32.** Return to an Address of the Senate, dated 6th March, 1885, for a Return of all exports from ports on Hudson and James Bays, other than York Factory, of furs, fish, whale, seal or porpoise oil. Presented to the Senate, 20th April, 1885.—*Hon. Mr. Schultz.....Not printed.*
- 33.** Return to an Order of the House of Commons, dated 27th April, 1885, for a Return of all correspondence and petitions from mariners, vessel owners and others, not already brought down, relative to the selection of a route for the construction of the Murray Canal, or the character of the harbors afforded by Presqu'Isle and Weller's Bay respectively. Also all offers made by tenders or otherwise to construct said canal by any other than the adopted route, together with all reports as to progress of work of construction in possession of the Government. Presented to the House of Commons, 14th July, 1885.—*Mr. Cockburn.....Not printed.*
- 34.** Return to an Order of the House of Commons, dated 23rd March, 1885, for a Return of any orders or instructions of the Railway Department as to the sale of return tickets, limiting the periods in which such tickets can be used; also of any claims made by persons holding such tickets for damages for being ejected from the cars, and what amounts, if any, have been paid for such claims. Presented to the House of Commons, 5th May, 1885.—*Mr. Weldon—Not printed.*
- 35.** Return to an Order of the House of Commons, dated 12th February, 1885, for copies of all correspondence and petitions to the Postmaster General, or any member of the Government, with reference to the adoption in Canada of a system to encourage small savings; similar to that brought in by the late Mr. Fawcett in England. Presented to the House of Commons, 7th May, 1885.—*Mr. Blake.....Not printed.*
- 36.** Return to an Address presented by the Senate to His Excellency the Governor General, dated 17th March, 1885, praying His Excellency to cause to be laid before this House, copies of the reports of the various surveys made by engineers under the direction of the Government, for a line of railway connecting Montreal with the harbors of St. John and Halifax by the shortest and best practicable route (including the reports of Messrs. A. L. Light and Vernon Smith on the lines surveyed by them, respectively, running up the valley of the Etchemin River and from Canterbury, New Brunswick, to the northern end of Chesuncook Lake, in the



State of Maine); together with a statement showing the height of the summit level, the maximum grade per mile, the number of miles with a grade exceeding 42 feet, the average grade per mile, and the number and position of the curves with a less radius than 1,910 feet, upon each of such surveyed lines, as well as upon any existing railway proposed to be used in connection with any such surveyed lines; and also a detailed statement of the distances from Montreal to St. John and Halifax by each of such surveyed lines and the existing railways proposed to be used in connection therewith. Presented to the Senate, 5th May, 1885.—*Hon. Mr. Power*.....*Printed for both Distribution and Sessional Papers.*

**136a.** Return to an Address of the House of Commons, dated 3rd February, 1885, for copies of all Orders in Council, instructions given, reports of engineers, and all documents whatsoever, in relation to the selection of the shortest and best line for a railway between the present terminus of the Canadian Pacific Railway and one of the seaports of the Maritime Provinces. Presented to the House of Commons, 20th July, 1885.—*Mr. Landry (Montmagny)*.....*Not printed.*

**137.** Return to an Address of the House of Commons, dated 17th February, 1885, for copies of all correspondence, Orders in Council, contracts, and other papers in connection with the projected railway between Oxford and New Glasgow, in Nova Scotia, or in relation to any of the companies or individuals negotiating for the construction of any part of the projected short line within the bounds of the Province of Nova Scotia, and particularly an instrument signed by Sir Charles Tupper, the Minister of Railways, about the 9th May, 1884, whereby he, as representing the Crown, entered into certain engagements with Norvin Green, president of the Montreal and European Short Line Company, or with that company; and of all Orders or arrangements cancelling the said agreement; and of the evidence as to the ability of the company on which said agreement was made; and of all Orders and authorities under which the Oxford Branch Railway was completed or money thereon expended out of the Intercolonial appropriation; and of all agreements in connection with such expenditure, and of all statements, representations and letters made by or on behalf of contractors, companies, railway companies, construction companies, laborers, merchants or others, who have been concerned in the work, and of all reports made to any department or to Council upon any of the above subjects. Presented to the House of Commons, 8th May, 1885.—*Mr. Blake*—

*Printed for Sessional Papers only.*

**137a.** Supplementary Return to an Address of the House of Commons, dated 17th February, 1885, for copies of all correspondence, Orders in Council, contracts and other papers in connection with the projected railway between Oxford and New Glasgow, in Nova Scotia, or in relation to any of the companies or individuals negotiating for the construction of any part of the projected Short Line within the bounds of the Province of Nova Scotia; and particularly an instrument signed by Sir Charles Tupper, then Minister of Railways, about 9th May, 1884, whereby he, as representing the Crown, entered into certain engagements with Norvin Green, president of the Montreal and European Short Line Company, or with that company; and of all Orders or arrangements cancelling the said agreement, and of the evidence as to the ability of the company on which said agreement was made; and of all Orders and authorities under which the Oxford Branch Railway was completed, or money thereon expended out of the Intercolonial appropriation, and of all agreements in connection with such expenditure; and of all statements, representations and letters made by or on behalf of contractors, companies, railway companies, construction companies, laborers, merchants or others, who have been concerned in the work; and of all reports made to any department or to Council upon any of the above subjects. Presented to the House of Commons, 14th July, 1885.—*Mr. Mills*—

*Not printed.*

**137b.** Return to an Address of the House of Commons, dated 11th February, 1885, for copies of all reports made by engineers employed by the Great American and European Short Line Railway Company in Nova Scotia and Cape Breton, with the plans, papers and correspondence connected therewith; also for copies of all correspondence with the Dominion Government and the Government of Nova Scotia on the same subject; also copies of all contracts by and between the said company and other persons; also a statement of all moneys paid out and expended on contracts for salaries, wages and labor; showing also the amounts, if any, still due and owing by the said company to their contractors, agents or workmen; and also a statement of the

number of miles completed and graded in each of the counties of Cumberland, Colchester and Pictou. Presented to the House of Commons, 14th July, 1885.—*Mr. Paint*.....*Not printed.*

- 138.** Return to an Order of the House of Commons, dated 23rd March, 1885, for copies of all reports, correspondence, and surveys, if any, in the Department of Public Works, as to the improvement of the North Saskatchewan River, for the purpose of navigation. Presented to the House of Commons, 28th May, 1885.—*Mr. McCallum*—  
*Printed for both Distribution and Sessional Papers.*

- 139.** Return to an Address of the House of Commons, dated 27th April, 1885, for all letters and correspondence had between the Dominion Government or any of its members and the Local Government of New Brunswick or any of its members, on the subject of the building of a foot and carriage bridge on the St. John River, at or near Fredericton. Presented to the House of Commons, 11th May, 1885.—*Mr. Landry (Kent)*.....*Printed for Distribution only.*

- 139a.** Supplementary Return to an Address of the House of Commons, dated 27th April, 1885, for all letters and correspondence had between the Dominion Government or any of its members and the Local Government of New Brunswick, or any of its members, on the subject of the building of a foot and carriage bridge on the St. John River, at or near Fredericton. Presented to the House of Commons, 9th June, 1885.—*Mr. Landry (Kent)*..*Printed for Distribution only.*

- 140.** Reports of Messrs. Perley and Guerin as to works respecting which application has been made on the River Ottawa and Lake Temiscaming; together with the memorandum of the Reverend Father Paradis, O.M.I. Presented to the House of Commons, 11th May, 1885, by Sir Hector Langevin.....*Printed for Distribution only.*

- 141.** Return to an Order of the House of Commons, dated 28th March, 1884, showing the total cost of old and new works, with expenditure for repairs and maintenance in each year since Confederation: 1. For cost of Welland Canal. 2. For new works, repairs, and all incidental expenses connected therewith. 3. For maintenance. 4. For revenue derived therefrom. 5. For return similar to that contained in 1, 2, 3 and 4, connected with the St. Lawrence Canals. 6. For estimated cost for deepening and completing the St. Lawrence Canals to a depth of twelve and fourteen feet, separately. Presented to the House of Commons, 16th May, 1885.—*Mr. McCraney*.....*Not printed.*

- 142.** Return to an Order of the House of Commons, dated 27th April, 1885, for a Return of instructions to the health officers of the ports in the Province of New Brunswick, and quarantine regulations issued by the Department of Marine and Fisheries or the Department of Agriculture relating to these ports. Presented to the House of Commons, 16th May, 1885.—*Mr. Weldon*.....*Not printed.*

- 143.** Return to an Order of the House of Commons, dated 27th April, 1885, for a Return showing the actual cost of laying the telegraph cable from Clover Point, Victoria, British Columbia, across the Straits of Juan de Fuca to a point at or near Dungeness, W.T.; said return to give the names of persons to whom sums have been paid; the nature and extent of services rendered, entitling them to such payments; the cost of the cable, time occupied in laying said cable, and its length. Presented to the House of Commons, 18th May, 1885.—*Mr. Baker (Victoria)*.....*Not printed.*

- 144.** Return to an Address of the House of Commons, dated 9th March, 1885, for: 1. Copies of all demands and claims made by the town of Emerson on the Government for financial or other aid, and all correspondence respecting the same. 2. Copies of all Orders in Council or departmental orders respecting such demands or claim, and the action or decision of the Government thereon. Presented to the House of Commons, 18th May, 1885.—*Mr. Cameron (Huron)*.....*Not printed.*

- 145.** Return to an Order of the House of Commons, dated 17th February, 1885, for a statement showing the names of all persons employed by the Department of Public Works or other department of the Government as inspectors or clerks of works on any building or other public work since 1873-74 until 1883-84 inclusive, with statement showing the amount paid to



such persons for services as such officials, and the rate per month or per diem to each; also the gross amount expended by the Government in each year on such works under the inspection of each clerk of works; also a statement showing the actual profession or calling of each such clerk of works. Presented to the House of Commons, 26th May, 1885.—*Sir Richard Cartwright*—*Not printed.*

- 146.** Return to an Address of the House of Commons, dated 27th April, 1885, for all the correspondence, papers and report of the officers of Customs at the port of Halifax and any other port, in connection with the entry by A. & W. Mackinlay, as agents of Thomas Nelson & Son, of school books at an undervaluation. Presented to the House of Commons, 26th May, 1885.—*Mr. Rykert*.....*Not printed.*
- 146a.** Return to an Address of the House of Commons, dated 27th April, 1885, for all papers, correspondence and reports with reference to Nelson & Son's consignment of school books to the late firm of James Campbell & Sons, Toronto. Presented to the House of Commons, 26th May, 1885.—*Mr. Wallace (York)*.....*Not printed.*
- 146b.** Return to an Address of the House of Commons, dated 27th April, 1885, for all the correspondence, papers and report of the officer of Customs for the port of Toronto, in connection with the seizure of school books entered at an undervaluation by Thomas Nelson & Son, Edinburgh. Presented to the House of Commons, 26th May, 1885.—*Mr. Rykert*.....*Not printed.*
- 146c.** Supplementary Return to an Address of the House of Commons, dated 27th April, 1885, for a Return of all papers, correspondence and reports with reference to Nelson & Son's consignments of school books to the late firm of James Campbell & Sons, Toronto. Presented to the House of Commons, 26th June, 1885.—*Mr. Wallace (York)*.....*Not printed.*
- 146d.** Supplementary Return to an Address of the House of Commons, dated 27th April, 1885, for a Return of all the correspondence, papers and report of the officer of Customs at the port of Halifax, and any other port, in connection with the entry by A. & W. Mackinlay, as agents of Thos. Nelson & Son, of school books at an undervaluation. Presented to the House of Commons, 26th June, 1885.—*Mr. Rykert*.....*Not printed.*
- 146e.** Supplementary Return to an Address of the House of Commons, dated 27th April, 1885, for a Return of all the correspondence, papers and report of the officer of Customs at the port of Toronto, in connection with the seizure of school books entered at an undervaluation by Thos. Nelson & Son, of Edinburgh. Presented to the House of Commons, 26th June, 1885.—*Mr. Rykert*.....*Not printed.*
- 147.** Return to an Order of the House of Commons, dated 27th April, 1885, for a Return showing:  
1. The detailed amounts actually due to the Supervisor of Cullers at Quebec for culling and measuring. 2. The names of all parties indebted, and the date of incurring of each liability. Presented to the House of Commons, 28th May, 1885.—*Mr. De St. Georges*.....*Not printed.*
- 148.** Return to an Address of the House of Commons, dated 12th March, 1885, for copies of all Orders in Council, agreements and correspondence in the possession of the Government since 1872, respecting the Windsor Branch Railway; also copies of pleadings and verdicts in the various suits at law respecting the same branch. Presented to the House of Commons, 9th June, 1885.—*Mr. Kinney*.....*Not printed.*
- 149.** Return to an Order of the House of Commons, dated 9th March, 1885, for all correspondence between the Auditor-General and the Department of Marine and Fisheries, relating to an Order of this House made on the 28th March last, for a return showing all sums received by the Department of Marine and Fisheries on account of rental of rivers and streams, &c.; or in any way relating to any irregularity or inaccuracy connected with matters of the said Department. Presented to the House of Commons, 28th May, 1885.—*Mr. McMullen*—*Not printed.*
- 150.** Return to an Address of the House of Commons, dated 8th April, 1885, for all papers concerning the appointment, instruction and salary of Mr. Hector Fabre, as Canadian agent at Paris, France, and the reports from that gentleman to the Government since his appointment. Presented to the House of Commons, 2nd June, 1885.—*Mr. Bergeron*—*Printed for Distribution only.*

- 151.** Return to an Address of the House of Commons, dated 12th March, 1885, for copies of all correspondence which has taken place between the Dominion Government and the Local Government of New Brunswick, with reference to the Northern and Western Railway, since May, 1884, up to February, 1885. Presented to the House of Commons, 11th June, 1885.—*Mr. Temple*.....*Not printed.*
- 152.** Return to an Address of the Senate, dated 20th April, 1885, for copies of all memorials, letters or telegrams addressed to the Railway Department, respecting the establishment of the York station on the Prince Edward Island Railway, and the answers thereto; also copies of any memorials, letters or telegrams, which may have been received by that Department, having reference to the abolition of the said station, and the replies, if any, made thereto. Presented to the Senate, 16th June, 1885.—*Hon. Mr. Haythorne*.....*Not printed.*
- 153.** Return to an Order of the House of Commons, dated 11th March, 1885, for a Return showing the amount of money paid for injuries to parties in the Mounted Police since 1878, specifying the names of the parties injured, the nature of the injuries, the amount of money paid, and to whom paid. Presented to the House of Commons, 7th April, 1885.—*Mr. Somerville (Brant)*—*Not printed.*
- 153a.** Annual Report of the Commissioner of the North-West Mounted Police Force for the year 1884. Presented to the House of Commons, 23rd June, 1885.—*Sir John A. Macdonald*—*Printed for both Distribution and Sessional Papers.*
- 154.** Return (*in two parts*) to an Order of the House of Commons, dated 12th March, 1885, for a return showing:—1. Total number of depositors in the Savings Banks, Post Office, or other banks holding deposits of \$1,000 or upwards; also the amount so held. 2. Total number of depositors having deposits of less than \$1,000 and more than \$500 each; also the total amount so held. 3. Total number of said depositors holding less than \$500 each; also total amount so held. Presented to the House of Commons, 30th June, 1885.—*Sir Richard Cartwright and Mr. Fairbank*.....*Not printed.*
- 155.** Return to an Order of the House of Commons, dated 27th April, 1885, for copies of all correspondence and papers relative to the dismissal of George E. Cherrier from the Indian Agency in Caughnawaga; also of the reports of the investigation into the affairs of the agency held by Mr. de Boucherville in 1883, and by A. Dingman in 1884, with copies of all instructions at any time given by the Department to Mr. Cherrier. Presented to the House of Commons, 30th June, 1885.—*Mr. Bain (Wentworth)*.....*Not printed.*
- 156.** Return to an Order of the House of Commons, dated 12th March, 1885, for a Return of all hardware purchased at Halifax by the Department of Marine and Fisheries, from 1st July, 1878, to 31st December, 1884; the names of the firms who furnished the supplies, amount supplied by each firm in each year; the names of the firms who supplied stoves, galvanized and tinware, in each year from 1st October, 1878, to 31st December, 1884, showing if by tender, whose tender was accepted, and if tenders asked for each year. Presented to the House of Commons, 30th June, 1885.—*Mr. Forbes*.....*Not printed.*
- 157.** Return to an Order of the House of Commons, dated 11th March, 1885, for a Return showing the number of days W. Ingles Bradley, a clerk in the Department of Railways, has been registered on the Departmental Attendance Book since 1st July, 1884; also showing the number of days' attendance for which he has received payment, and the total amount paid, together with the name of the departmental officer certifying the account. Presented to the House of Commons, 14th July, 1885.—*Mr. Somerville (Brant)*.....*Not printed.*
- 158.** Return to an Order of the House of Commons, dated 27th April, 1885, for copies of all correspondence of a recent date between the Superintendent General of Indian Affairs and the agent of the Department in British Columbia, or any other person, upon the subject of establishing Indian schools in said province. Presented to the House of Commons, 14th July, 1885.—*Mr. Baker (Victoria)*.....*Printed for Sessional Papers only.*



**158a.** Return to an Order of the House of Commons, dated 27th April, 1885, for a Return showing :

1. How many industrial schools for the instruction of Indian half-breed youth have been established in the Province of Manitoba and the North-West Territories respectively, under the authority and by permission of the Government of Canada, and where they are located.
  2. At what places lands have been surveyed and set apart for Indian half-breed schools in 1884, and what quantity at each place.
  3. Through whose representations and recommendations these half-breed schools are established from time to time, and whether any request from the Indian half-breeds themselves is required for the establishment of a school.
  4. What subjects of instruction are provided for these schools in regard to industrial pursuits, moral and religious, and are both sexes included in the general school provisions.
  5. Whether any of the Indian half-breed schools are placed under the care or supervision of any religious body or denomination ; if so, what are the conditions upon which such control is granted, and what is the extent of the denominational control, and is it, to the extent granted, a temporary or permanent control ; if there are denominational schools, what is the number belonging to each denomination, where they are located, and what quantity of land is owned or controlled by each, and what is the number of pupils.
  6. Whether, when the moral and religious instruction of an Indian half-breed school is placed under the supervision or control of any denomination, it gives to the denomination control of the land and buildings of such school.
  7. At whose cost the Indian half-breed school buildings are erected and furnished, and under whose directions the text books are selected or compiled, and by whom they are paid for.
  8. What standing of attainment is required of teachers in these schools ; how and from whom they receive certificates of qualification, and whether there is a system of Governmental inspection of these Indian half-breed schools.
  9. Whether the teachers and trustees or managers of these schools are required to make any periodical returns to the Government of the attendance, general condition, progress and expenditure of each.
  10. Whether any of the religious denominations have obtained lands for church or school purposes from the Government or from any Indian reservation by treaty or otherwise.
  11. Whether any of the religious bodies, on their own responsibility, have established schools among the Indians, or half-breeds, and if they have, whether they receive any assistance directly or indirectly by land grants or otherwise for the support of such schools from the Government.
- Presented to the House of Commons, 18th July, 1885.—*Mr. Kirk* ..... *Not printed.*

**159.** Return to an Address of the House of Commons, dated 12th February, 1885, for copies of all correspondence, petitions and Orders in Council, relating to any applications by or on behalf of any railway company elsewhere than in Manitoba or the North-West, for aid or additional aid. Presented to the House of Commons, 14th July, 1885.—*Mr. Blake*..... *Not printed.*

**160.** Return to an Address of the House of Commons, dated 2nd March, 1885, for: 1. Copies of all correspondence between the Government and the North-West Council respecting the representation of the Territories in this Parliament. 2. Copies of all petitions, representations and correspondence addressed to the Government, or any member of it, on the same subject, and any replies thereto. 3. Copies of all petitions, representations and correspondence with the Government, or any member of it, on the subject of the establishment of Local Governments in the Territories, and of all replies thereto. Presented to the House of Commons, 15th July, 1885.—*Mr. Cameron (Huron)*..... *Not printed.*

**161.** Return to an Address of the House of Commons, dated 23rd March, 1885, for a Return of all correspondence, papers and documents which have passed between the Imperial Government and the Dominion Government or the Dominion Government and the Government of British Columbia, relative to the public reserves of British Columbia and to the claim of the Crown to the land between high and low water mark, and generally all information as to "fore shore" rights of the Dominion. Presented to the House of Commons, 15th July, 1885.—*Mr. Baker (Victoria)*..... *Printed for Sessional Papers only.*

## RETURN

(25z)

To an ORDER of the HOUSE OF COMMONS, dated 23rd February, 1885 :—For all Reports, Plans, and other information in the possession of the Department in reference to the work on the Canadian Pacific Railway at or near Maple Ridge, a short distance above Hammond, on the bank of the Fraser, B.C., for all Reports and information in the possession of the Department as to the condition of the work on the Government Sections of the Canadian Pacific Railway, in British Columbia, and as to the extent of work remaining to be done before the completion of the Contract ; Also for all correspondence with the Canadian Pacific Railway Company as to the taking over by them of these sections of the Railway. Also for a statement of the names, salaries and period of service in that region of the Government Engineers, who have been employed on the Government Sections in British Columbia, of the Canadian Pacific Railway, with dates at which any of them were relieved ; a statement of the cause of their removal and of their present occupation, if any, under the Government.

By Command,

J. A. CHAPLEAU,

*Secretary of State.*

Department of the Secretary of State,  
Ottawa, 4th May, 1885.

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CANADIAN PACIFIC RAILWAY COMPANY,  
OFFICE OF THE ENGINEER-IN-CHIEF, OTTAWA, 22nd April, 1885.

SIR,—I have the honor to transmit herewith, for the information of the Department, copies of correspondence in regard to the site of the Maple Ridge Railway Station on Contract 92, in British Columbia.

I have the honor to be, Sir, your obedient servant,  
COLLINGWOOD SCHREIBER, *Chief Engineer.*

P. BRADLEY, Esq., Secretary Railways and Canals.

INDIAN OFFICE, VICTORIA, 26th April, 1882.

SIR,—As it is commonly reported that railway construction on the Port Moody and Emory section is to be vigorously prosecuted, and that a station (with, presume, wharf and store-houses), will be required in the vicinity of Maple Ridge, I have the honor to state that the owners of lots 278, 279, 280 and 281, have authorized me to submit for your consideration the following proposal :—

Messrs. William and John Hammond, owners of the two former lots, and Mrs. E. Bohm, owner of the two latter, agree to convey, free of cost, to the Dominion Govern-



ment, the railway syndicate or to such other parties, as will ultimately hold the title of the real estate in the railway, such reasonable amount of land as may be required for the above purposes, provided that the station, &c., is placed on the above mentioned lots.

Further, I beg to submit that:

1st. The bank, though well above high water mark, is neither high nor steep.

2nd. It is not subject to slides, as is the case higher up.

3rd. It is easy of access for steamers landing heavy freight at any stage of water.

4th. That, it is a convenient point for the distribution of material.

And lastly, that (in the interest of the large body of settlers on the south side of the Fraser River) it would be almost opposite the new road, which affords an outlet to the farmers from Longley to Semiahmoo.

Should you find time to examine the land referred to, I think you will find that I have been justified in these conclusions.

I enclose a land office map, showing the position of the lots and roads referred to, and

I have the honor to be, Sir, your most obedient servant,  
EDWARD MOHUM.

#### CANADIAN PACIFIC RAILWAY, CONTRACT 92,

NEW WESTMINSTER, 19th June, 1882.

MY DEAR SIR,—When the more southerly of the two lines surveyed at Maple Ridge, between stations 550 and 770, was adopted, it became necessary to select, at least approximately, a site for a station within those limits, a task of some difficulty, as the banks of the Fraser are high in that neighborhood, and, being composed of clay, are subject to land slips. A site, however, was selected (stations 711 to 728), which appeared, from the plans and profiles, to be the most feasible. Soon after my arrival here my attention was called to the subject by a letter (A), herewith enclosed. I took no notice of this, as the parties mentioned therein are pecuniarily interested. The statements therein made have, however, been subsequently corroborated by the M.P.P. for the district. During the present great flood, I have examined that and other matters affected by it thoroughly, and find that the present flood is about 1 foot 6 inches higher between Port Moody and Harrison River than that of 1876—the highest before known.

That of the station ground selected, about 600 feet in length was under water a depth of 3 to 4 feet; that of the balance, the flat is narrow, and to get the necessary width excavation to a considerable depth would have to be made into the bank, which is composed of very stiff, tenacious clay (see specimens in bags in the room I occupied last winter); that the quantity of excavation would considerably exceed that estimated; that there is no water for household purposes, but that of the muddy Fraser; that the ground at the west end is liable to slip into the river.

I also examined the proposed site shown on the tracings of plans herewith, and by a circle of blue color on published map of the district of New Westminster, I found the ground perfectly dry, composed of fine gravel and loam, the lowest part being fully 3 feet above the highest flood level, with a small perennial stream running across the centre of it. It would make a good station ground (the only objection is its being on a curve of 4° radius), and I believe is in the best position that can be selected for the public interest; being at the point where the line first strikes the Fraser, it is the most convenient for all traffic on the Fraser below that point, and I believe for the traffic of the fine tract directly south, extending to the Semiahmoo Bay. It also divides the distance between Port Moody and the next station, Whanneck, the latter of which is well situated to serve the Longley tract of fine lands directly south of it.

I can without hesitation recommend this as the best possible site that can be found in that neighborhood, and what is of as much importance, it is the best position and the best ground for a town site between Port Moody and Emory. The width I have laid down on the tracings herewith can be modified as you may desire.

Should this site be approved of by the Minister, I suppose the plans will have to be signed by him and sent out for Mr. Onderdonk's signature, who will make no claim for extra payment, on account of the change. Indeed it will be more convenient for him than the other.

Yours truly,

MARCUS SMITH.

D. SCHREIBER, Esq., Chief Engineer.

P.S. The buildings shown on the plan are old wooden structures, and can easily be shipped.

*(Profile omitted in printed Return.)*

M. S.

CANADIAN PACIFIC RAILWAY, YALE, B. C., 12th June, 1882.

DEAR SIR,—I would respectfully call your attention to the location of the station at Maple Ridge. Since the recent flood the disadvantages of the present location is obvious, 600 feet of station grounds being under water.

Now, a very suitable place appears to me to be at the point where the track leaves the Fraser for Port Moody, about two miles further down the river. You might mention to the Minister that I would make no extra charge should the Government wish to avail themselves of this change of site.

Yours respectfully,

A. ONDERDONK.

DOLLINGWOOD SCHREIBER, Esq., Engineer-in-Chief, C. P. R.

P.S.—My personal opinion is that the public interest would be served by having the station as far down the river as possible, viz., where the line branches off.

A. O.

DOMINION GOVERNMENT AGENT'S OFFICE,

VICTORIA, B. C., 8th July, 1884.

DEAR SIR,—I have just received a letter from Mr. Smith, in which he expresses his views relative to the selection of the exact localities for the railway stations at Maple Ridge and opposite Longley, and informs me that he has already communicated these views to you by letter, and desires me to convey to the Government my ideas on this matter.

I beg, accordingly, to state to you, for the information of the Minister of Railways, that having, on various occasions, conferred fully with Mr. Smith on this question and examined the localities under reference in company with him, I entirely concur in his views on this subject, to the effect that it is advisable, both as regards the construction and operation of the railroad, and with respect to the general interests of the public, that the alteration of the locations of the stations above mentioned which Mr. Smith suggests should be made, and am further of opinion that such alterations would not, in any degree, entail on the contractor more work or outlay.

Yours faithfully,

JOSEPH H. TRUTCH.

DOMINION GOVERNMENT AGENT'S OFFICE,

VICTORIA, B. C., 10th August, 1882.

DEAR SIR,—I beg leave to acknowledge the receipt of your letter of 20th ult., in regard to the change of station at Maple Ridge, with enclosed letter to Mr. Smith on the same subject, which I have duly transmitted to him.

Yours faithfully,

JOSEPH H. TRUTCH.

DOLLINGWOOD SCHREIBER, Esq., Engineer-in-Chief, C. P. R.



OTTAWA, 22nd April, 1885.

SIR,—In reply to an Order of the House of Commons, I beg to hand you the attached statement, showing approximately the extent of work remaining to be done before the completion of the contracts covering the work built by the Government on the Canadian Pacific Railway in British Columbia.

I have the honor to be, Sir, your obedient servant,

COLLINGWOOD SCHREIBER, *Chief Engineer.*

A. P. BRADLEY, Esq., Secretary Railways and Canals.

### CANADIAN PACIFIC RAILWAY, BRITISH COLUMBIA—GOVERNMENT CONTRACTS.

Statement showing approximately the extent of work remaining to be done before the completion of the contracts :—

1. Renewal of the front of the Port Moody wharf.
2. Erection of two engine houses.
3. Erection of three station houses.
4. Completion of water service (about half done).
5. Earth excavation, 350,000 cubic yards.
6. Loose rock, 20,000 cubic yards.
7. Solid rock, 8,000 cubic yards.
8. Lining tunnels, 450 lineal feet.
9. Fencing, 450,000 lineal feet.
10. Track-laying, nil.
11. Ballasting, 250,000 cubic yards.
12. Stone facing, 65,000 cubic yards.

OTTAWA, 20th April, 1885.

SIR,—In reply to an Order of the House of Commons, calling for all correspondence with the Canadian Pacific Railway Company, as to the taking over by them of those sections of the railway in British Columbia built by the Government, I have the honor to say that no correspondence on the subject has taken place with this office.

Your obedient servant,

COLLINGWOOD SCHREIBER, *Chief Engineer.*

P. BRADLEY, Esq., Secretary Railways and Canals.

### CANADIAN PACIFIC RAILWAY,

OFFICE OF THE ENGINEER-IN-CHIEF, OTTAWA, 15th April, 1885.

SIR,—In answer to your letter of the 2nd ultimo, I now beg to transmit, to fill an Order of the House of Commons, a statement of the names, salaries and periods of service in that region, of the Government engineers, who have been employed on the Government sections in British Columbia, of the Canadian Pacific Railway, with dates at which any of them were relieved; a statement of the cause of their removal and of their present occupation, if any, under the Government.

I have the honor to be, Sir, your obedient servant,

COLLINGWOOD SCHREIBER, *Chief Engineer.*

A. P. BRADLEY, Secretary Railways and Canals.

## CANADIAN PACIFIC RAILWAY.

STATEMENT of the names, salaries and period of service in British Columbia, with dates at which they were ordered from duty, the cause of their removal, and of their present occupation, if any, under the Government.

Names.	Salary per Month.	TERM OF SERVICE.		Cause of Removal.	Present Occupation, if any, with the Government.
		Entered Service in B. C.	Relieved from duty.		
	\$ cts.				
Marcus Smith .....	425 00	May, 1881	Oct., 1884	Not required, owing to progress of work.	Inspect'g engineer at Kamloops.
J. Brophy.....	220 00	Mar., 1880	.....	Still employed .....	
J. B. Burnyeat.....	140 00	June, 1881	Mar., 1884	Resigned.....	
H. Y. Cambie.....	256 66	Mar., 1880	Feb., 1884	Work completed.....	
E. C. Carman.....	160 00	May, 1880	.....	Still employed .....	
R. C. Cridge.....	140 00	Aug., 1881	April, 1884	Not required, owing to the advanced state of the work.	
Henry Fry, jun.....	130 00	April, 1880	Nov., 1884	do .....	
H. Fry.....	140 00	do 1880	Oct., 1884	do .....	
J. H. Grey.....	140 00	Aug., 1880	May, 1884	Resigned.....	
N. B. Gauvreau.....	140 00	do 1880	.....	Still employed .....	
W. T. Gouin.....	160 00	Mar., 1880	Feb., 1884	Work completed.....	Employed Dept. Public Works.
L. B. Hamlin.....	256 66	do 1880	.....	Still employed.....	
C. F. Hannington.....	160 00	do 1880	Sept., 1884	Resigned.....	
A. W. Heckman.....	140 00	do 1880	Nov., 1884	Not required .....	
A. J. Hill.....	150 00	do 1880	do 1884	do .....	
A. E. Hill.....	160 00	July, 1881	Sept., 1884	Resigned .....	Dept. Interior.
George Keefer.....	256 66	Mar., 1880	Oct., 1884	Not required.....	
D. LeDuc.....	150 00	do 1883	.....	Still employed .....	
H. F. McLeod.....	256 66	do 1880	.....	do .....	
A. E. McKay.....	130 00	July, 1883	Oct., 1884	Not required.....	
R. C. McGammon.....	110 00	Mar., 1881	Jan., 1884	do .....	
A. G. Pinder.....	130 00	May, 1880	Sept., 1884	do .....	
W. G. Pinder.....	140 00	Mar., 1880	May, 1884	do .....	
H. B. Smith.....	140 00	do 1880	.....	Still employed.....	
W. O. Strong.....	160 00	do 1880	June, 1884	Not required .....	
F. R. B. Smith.....	130 00	May, 1883	.....	Still employed.....	
E. A. Wilmot.....	220 00	July, 1881	May, 1884	Resigned.....	Dept. Interior.
John Aylen.....	130 00	do 1881	Nov., 1884	Not required.....	
Thomas White.....	180 00	Mar., 1880	Oct., 1883	Resigned.....	
John Page, jun.....	150 00	Jan., 1881	Aug., 1882	Ill-health.....	
Wm. Jennings.....	290 00	Aug., 1882	May, 1883	Not required.....	
W. C. Mitchell.....	160 00	Mar., 1880	Jan., 1883	do .....	
Z. L. de Rivière.....	130 00	May, 1881	do 1882	do .....	
E. A. Blakeney.....	140 00	do 1883	Feb., 1884	Ill-health .....	
G. B. Fellowes.....	130 00	do 1881	Mar., 1882	Survey completed.....	

(Extract from Annual Report.)

Savona's Ferry to Port Moody, 213 miles.—The grading, bridging, track-laying and ballasting upon this section are being executed by Messrs. D. O. Mills and Andrew Onderdonk, under contracts with the Government. The work is far advanced towards completion, the track being laid from the Black Canon to Port Moody, a distance of 186 miles, and in the course of a few weeks the track-laying will be finished over the entire section. There will, however, still remain to be done some ballasting, some rock-facing to embankments exposed to the wash from the Fraser River, and a considerable amount of general trimming up, before the section can be accepted from the contractors as finished. This, however, it is confidently believed, will all be completed by the 30th June next, the date specified by the contract for the completion of



the works, when this section will, no doubt, be transferred to the Canadian Pacific Railway Company, under the terms of their contract. The Government have yet to erect some water tanks and buildings before the section will be in a condition to be transferred to the company; but preparations are being made with a view to the erection of these buildings, at a period not later than the date when the work under the grading contracts will be completed.

From Savona's Ferry to Port Moody, 213 miles, the maximum grade is 53 feet per mile.

*Western Section.*

*Savona's Ferry to Port Moody.*—The work on this section is drawing to a close. The total distance is 213 miles, upon which the grading is nearly completed, and the track laid over 210 miles. One hundred and forty-eight miles are surfaced and ballasted, and the erection of station houses and water tanks is in progress. It is believed that this section, being the only work remaining to be done by the Government, will be completed by July next. The distance from Callander to Savona's Ferry is 2,337 miles, and to Port Moody 2,550.

## LETTER AND STATEMENTS

(25cc)

FROM GEORGE STEPHEN, ESQ., PRESIDENT OF THE CANADIAN PACIFIC RAILWAY COMPANY, TO THE HONORABLE THE MINISTER OF RAILWAYS AND CANALS, ACCOMPANIED BY MR. MIALLS'S CONDENSED BALANCE SHEET ON THE AFFAIRS OF THE C. P. R. CO., ON THE 1ST JANUARY, 1885.

CANADIAN PACIFIC RAILWAY COMPANY,  
MONTREAL, 18th March, 1885.

SIR,—In view of the approaching completion of the contract for the construction of the Canadian Pacific Railway from Callander to the Pacific Ocean, according to the contract entered into by this company, and of the consequent necessity for making timely and adequate provision for the unexpectedly large volume of traffic which the line has already developed, as well as for the great increase which it is now certain will take place on the opening of the through line in the spring of 1886, the company finds itself compelled to seek for some re-arrangement of its finances which will enable it to procure the necessary capital required for this purpose. I have, therefore, the honor, on behalf of the Board of Directors of this company, to submit to you some observations upon the position of the company, and offer some suggestions as to the necessary remedial measures for restoring to the company the free use and control of its own resources, and, at the same time, of practically providing for the repayment of the loan of last Session, and relieving the Government, finally and forever, from all responsibility for or connection with the Canadian Pacific Railway.

It will be remembered, that under the provisions of the Act of last Session, the Government, as security for the repayment of the loan to the company, deemed it necessary to take a statutory lien, not only on the line contracted to be built, but on the whole property of the company, including its steamers and branch lines, practically stripping it of every resource it possessed, and leaving it without any means of providing for the important purposes of the enterprise, outside the mere work of construction of the main line from Callander to the Pacific Ocean, and its equipment, to the extent contemplated by the contract, except its unsold stock. That resource, the only one the company had left, was rendered unavailable owing, to some extent, to the provision in the Act, by which, in case of the default on the part of the company in performing the conditions on which the loan was granted, the Government could practically confiscate the whole property of the company, but also, in a greater measure, to the unfair and malevolent attacks of the enemies of the company, acting in concert with some, happily only some, of the political opponents of the Government, aided by a venal section of the newspaper press of the country.

From these quarters the company and its resources have been unceasingly assailed and discredited during the whole of the past year, in the most unprincipled and unpatriotic manner. A large portion of the country traversed by its lines has been decried as a barren and worthless desert; the advantages of the North-West, as a field for emigration, have been depreciated; and attempts have been made to create the impression that the line, when opened, could not possibly pay its working expenses, and that the Government would be compelled to take possession of it and operate it at a loss to the country variously estimated at from \$3,000,000 to \$8,000,000 annually. In fact the enemies of the company, both at home and abroad, availed themselves of the stringency of the provisions of the Loan Act, and of persistent and unfounded misrepresentations of the country and of the conduct of the company, for the scarcely concealed purpose of wrecking the enterprise.



By these means, investors were alarmed ; the stock was prevented from becoming, as was expected, a means of providing the company with the funds necessary for carrying on its business efficiently; and the credit of the company was all but destroyed.

The company, it will be remembered, at the time of the passage of the Act, earnestly, but ineffectually, remonstrated against the severity of the conditions on which the loan was granted; especially pointing out the damaging effect on the future credit of the company, of the stringent and apparently inequitable character of the remedy taken by the Government, in the event of default by the company, and their apprehensions in these respects have been fully realised.

The shares of the company, at the time of the passing of the Act of last Session, were selling at about \$60 per \$100 share, and were expected to advance to \$75 or \$80. Shortly afterwards they began to decline; and they are now quoted under \$40. And, under the circumstances stated, it is not surprising that the stock of the company should fail to command the confidence of the investing public.

The amount of the loan provided for by the Act of last session was \$22,500,000, \$7,500,000 of which were appropriated to pay existing obligations, leaving \$15,000,000 for the purpose of completing the contract. This amount, plus \$12,710,000 unpaid subsidy then in the hands of the Government, gave a total of \$27,710,000 applicable only to the work under contract. The mode provided by the Act for obtaining payment out of this fund rendered it impossible that any part of it could be drawn from the Government for any purpose, except for the bare cost of construction, with the stipulated amount of rolling stock. Before any such payment could be made, an estimate was required to be prepared by the Government engineers, as the work proceeded, of the proportionate value of the work done; and the amount of such estimate, less ten per cent., was paid to the company. But, in order to make the railway a first-class carrying power, with all the appurtenances and appliances necessary to enable it to compete successfully with the best of the American trans-continental lines, much had to be done and provided besides the mere work of construction and equipment, according to the contract, and these requirements are not materially diminished by the fact, which is admitted, on all hands, that the whole line has been constructed of a quality and character far exceeding the standard agreed upon between the Government and the company.

Upon the opening of the railway in the spring of next year, it cannot dispense with a full provision for its efficient and vigorous operation without great injury to its prestige and future reputation. Its road-bed for the 2,900 miles from Montreal to the Pacific Ocean, its facilities for handling traffic, and its equipment, must be of the highest class, not inferior to those of any other trans-continental line, otherwise it will not command the traffic, and the enemies of the enterprise will take a delight in pointing to it as a reproach, both to the country and the company.

For these purposes, the usual improvements required upon all new railways have to be made. Terminal facilities require to be provided, workshops have to be built and furnished with expensive machinery, elevators require to be constructed and many other things have to be done to provide for the unexpected development of traffic already reached, and for the still greater volume which is certain to follow the opening of the line. Many of these things had to be done at once, and could be most economically provided concurrently with construction. It would have been unwise and improvident in the extreme to have postponed such provision until the last rail should be laid; and the company accordingly felt obliged to proceed to some extent with the most important of these improvements. In doing so it relied upon the proceeds of its unsold stock. It could not obtain one dollar for any of these purposes under the Act of last session, the provisions of which as has been shown, were confined to the actual work of creating the bed of the railway, laying the track, and supplying it with a certain quantity of rolling stock. The expenditure during the past year, outside of the contract, for the purposes referred to, amounts to about \$5,000,000; and, in addition, in order to keep faith with the shareholders, provision had to be made for the payment of the promised extra dividend; and interest had to

paid amounting altogether to about \$3,000,000 more. And as it was found impossible to realize upon the unsold stock, some of the directors resident in Montreal gratuitously came to the assistance of the company, pledging their personal credit and their own private securities for the benefit of the company, and so the money for the latter expenditure was found.

In the meantime the work of the contract has been carried on with the utmost energy and rapidity; and it will be completed before the stipulated time, the money remaining in the hands of the Government amounting on the 31st December last to \$8,726,949, being sufficient to complete the performance of all the obligations of the company under the contract. As was expected, there has been a large saving effected on the cost of the work on the Mountain section, but the advantage thus obtained has been absorbed in extra expenditure on the Lake Superior section.

To enable the company to procure the additional capital that will be required for the purposes indicated, I beg respectfully to propose:—

1. That the \$35,000,000 unsold stock shall be cancelled.
2. That authority be granted to the company to issue, in lieu thereof, \$35,000,000 four per cent., fifty-year, first mortgage bonds, secured by a first lien on the main line of the railway from Montreal to the Pacific Ocean, covering all terminals built, or to be built, and all equipment and rolling stock now on the line, or that may be hereafter put upon it; together with its tolls and revenues, subject, of course, to the existing mortgages on the line from Montreal to Callander.
3. The Government to accept \$15,000,000 of these bonds in part settlement of the loan to the company, the balance of the loan to be paid off by a reduction of the land grant, to an extent necessary to cover the amount of the balance of the loan at the rate of \$2.00 per acre, which is 46 cents per acre less than the lands already sold have netted the company in cash.

The loan of last session would thus be practically paid off, and the company would have in its treasury ample resources from its first mortgage and land grant bonds to provide for its present wants as well as for the future development of its business; and with its credit restored and re-established in the confidence of its shareholders it would then be in a position to proceed, 1st, with the much wanted extension of the Manitoba South-Western Railway; 2nd, with the completion of the line to Sault Ste. Marie; 3rd, to secure, in some way, a connection with the City and Harbor of Quebec; 4th, with reasonable aid from the Government, to extend the Canadian Pacific system to the Ocean Ports of the Maritime Provinces; 5th, it would also be in a position to aid indirectly in securing the early completion of its Ontario Division to the Detroit River, and, at the same time removing, for ever, all necessity for any further applications to the Government for assistance on the part of the company. Its further necessities and the success, or failure, of the enterprise, would thus be entirely the affair of the shareholders themselves.

4. To enable the company to provide for present wants, and to give it time to realize on its securities, the Government to make a temporary loan of \$5,000,000 for a term not exceeding eighteen months, on the security of the postal subsidy payable by the Government to the company, supplemented by a deposit with the Government of \$5,000,000, four per cent first mortgage bonds.

5. If the foregoing suggestion is adopted, an amount of the land grant bonds in the hands of the Government, equivalent to the number of acres deducted from the land grant, must be cancelled; the balance of those bonds, then remaining, to be returned to the company.

I regret that circumstances should have placed it in the power of the enemies of the company to compel it to make this application to the Government; but hope the suggestions now offered will receive favorable consideration. Their adoption would have the effect of gradually restoring the credit of the company, and of placing the enterprise in a condition to do its work efficiently and successfully, without involving the Government in any permanent additional outlay on behalf of the company, and actually providing for the practical repayment of the existing loan.



In conclusion it only remains for me to add that, in making this application to the Government, I do so with the fullest faith and confidence in the present and future money-earning power of the enterprise. I am satisfied that the resources of the company are amply sufficient faithfully and honestly to discharge every obligation it has incurred, whether to the Government or to others; and that the Canadian Pacific Railway, upon its final completion and equipment, will be one of the most important and prosperous railway properties on this continent.

Statements are appended showing the amount expended on improvements, on main line and branches, rolling stock, &c., in 1884, beyond the requirements of the contract; and an estimate of the expenditure, for similar purposes, up to May, 1886, with several other statements bearing on some of the matters referred to in this letter.

I have the honor to be, Sir,

Your obedient servant,

(Signed)

GEO. STEPHEN.

*President.*

The Honorable

The Minister of Railways and Canals,  
Ottawa.

STATEMENT showing the amounts expended by the Company on 31st December, 1884, on construction of main line and branches, extensions, terminals, improvements, equipment, interest and dividends; also showing the total amount received by the Company from its cash and land subsidies, and from Government loan.

1. Expended on main line and branches.....	\$52,595,842 00
2. Expended on equipment.....	9,168,755 00
3. Expended on improvement of Government lines..	1,241,780 00
4. Material on hand.....	3,687,729 00
5. Expended on advances to secure access to the sea-board, and for other purposes within the Charter, and on leased Lines .....	5,857,223 00

Total expenditure to 31st December.....\$72,551,329 00

#### ADDITIONAL EXPENDITURE.

Sum now in hands of Government to pay nine years' guaranteed dividend.....	\$14,288,288 00
Dividend paid .....	5,378,000 00
Interest on land grant bonds.....	582,734 00
	<u>\$92,800,351 00</u>

Total amount received from cash and land subsidies and from Government loan..... 55,532,651 00

Balance.....\$37,267,700 00

F. G. OGDEN,  
*Auditor.*

Amount expended in excess of Receipts up to 31st December, 1883, as shown by Statement of that date.....	\$37,377,175 00
Amount received from Government Loan to apply on 1883 Expenditure.....	7,500,000 00
	<u>\$29,877,175 00</u>

Amount expended in excess of Receipts up to 31st  
December, 1884, as shown by Statement of that  
date..... 37,267,700 00

\$ 7,390,525 00

Add—Amount deducted from Estimates paid by  
Government to repay advances on rails of 1883 339,235 00

Net increase of Expenditure over Receipts from  
Government Subsidy and Loan during 1884.... \$7,729,760 00

F. G. OGDEN,  
*Auditor.*

The above Statement is made in comparison and to cover items in Statement of 1883, but does not cover expenditure for Interest, General Expenses, Interest on Government Loans, &c.

ESTIMATED probable expenditure to June, 1886, for additional equipment and improvements, and for additional facilities necessary to advantageous operation and full development of traffic.

For Sleeping Cars.....	}	\$1,000,000 00
Passenger Cars.....		
Dining Cars.....		
Baggage, Mail and Express Cars.....		
Emigrant Cars.....		
Box and Cattle Cars.....		
Conductors' Cars.....		
Derrick, tool and other auxiliary cars.....	}	
Locomotives.....		

Hand Cars, Push Cars .....

Track tools, semaphores and other equipment  
requisite for operation of line, also for  
restoring Construction Locomotives to  
good working condition.....

For Elevators, Port Arthur, Montreal, &c.....	}	\$1,500,000 00
Coal Bunkers, Montreal.....		
Additional Real Estate, Montreal and else- where.....		
Revetment walls at Montreal.....		
Additional Depot and tracks and other facili- ties, Montreal, and other points, addi- tional yard room and tracks, coal and other docks, and other terminal facilities at Fort William and Port Arthur.....		

For divisional shops and machinery at nine points,  
coal docks and machinery at two points on  
Lake Superior section. Station buildings, sec-  
tion houses and miscellaneous buildings at vari-  
ous points, additional station sidings and  
crossings, tracks at various points, extension of  
divisional yards, additional engine houses,  
improvement in water supply, additional tanks,  
permanent bridge work at various crossings Bow  
River and on other sections, additional ballast-  
ing, filling trestles and raising roadway..... \$600,000 00



For completion telegraph system, main line and branches.....	275,000 00
For connection with Coal Harbour and English Bay, shops, buildings, docks, tracks and other facilities at Pacific terminus.....	760,000 00
Contingent expenditure.....	910,000 00
	<u>\$5,045,000 00</u>

## CONTINGENT EXPENDITURE.

Snow sheds in Mountains.....	\$450,000 00
Snow protection, Lake Superior section .....	160,000 00
Obliterating remaining cuttings, Prairie section....	100,000 00
Terminal facilities at Quebec .....	200,000 00
	<u>\$910,000 00</u>

STATEMENT of amounts expended on improvements on Main Line and Branches, additional Equipment, &c., in 1884, in excess of Estimates received, and beyond requirements of the Contract, and for which no part of the Government Loan or Subsidy was available.

Montreal to Sudbury.....	\$ 845,694 00
Sudbury to Winnipeg .....	1,392,845 00
Winnipeg West .....	1,209,796 00
Expended on Branches .....	578,048 00
Expended on Government Lines.....	150,435 00
Expended in additional Equipment .....	547,866 00
	<u>\$4,702,684 00</u>
Amount paid during 1884, on Interest Dividends, Exchange, Insurance and General Expenses.....	3,478,585 00
	<u>\$8,181,269 00</u>

Not included in above, the Estimate of extra Expenditure on construction between Michipicoten and Port Arthur, beyond the requirements of the Contract, amounting to..... \$2,500,000 00

OTTAWA, 4th May, 1885.

SIR,—I have the honor to state, that in accordance with your instructions of the 13th ult., and the further verbal request of the Honorable the Finance Minister, I have carefully examined into the books of the Canadian Pacific Railway Company, and have extracted from them a balance sheet, showing the state of affairs on the 31st December, 1883, and the 31st December, 1884, respectively.

From this balance sheet I have constructed a statement exhibiting those phases of their expenditure into which the Honorable the Finance Minister directed me more particularly to enquire, viz: The extent of expenditure made by the Company upon the main line (from Montreal to the Pacific coast), out of its own resources,

independently of moneys received from the Government, and the proximate causes which have led to the existence of a floating debt of from \$6,000,000 to \$7,000,000.

I append the statement hereto, and have the honor to be, Sir,

Your obedient servant,

EDWARD MIALL.

Hon. J. H. POPE,  
Minister of Railways and Canals.

## CANADIAN PACIFIC RAILWAY.

### CONDENSED BALANCE SHEET, 1ST JANUARY, 1885.

West of Callander—		
Construction.....	\$48,382,084	
Improvements.....	1,241,780	
Materials.....	3,687,729	
		\$53,311,593
East of Callander—		
On main line.....		4,213,758
Equipments on main line.....		9,168,755
Interest, &c., on financial matters in connection with main line construction, handling material, &c.....		1,389,474
		\$68,083,580
Received from Government—		
Subsidy.....	\$20,240,317	
Loan—		
Less retained for dividend guarantee, \$7,380,912.....	18,626,600	
Land—Proceeds of.....	8,702,086	
		\$47,569,003
Expended on main line out of Company's resources...		20,514,577
Expended out of Company's funds on connections....		5,857,224
Dividends.....		5,378,000
Deposit with Government to guarantee dividends....		6,907,377
Total expenditure made and liabilities incurred out of other than Government resources .....		\$38,657,178
Provided thus:—		
Capital.....	\$29,568,123	
Bonuses.....	232,600	
Town sites.....	504,675	
Earnings.....	\$1,626,063	
LESS — Balances due..	169,745	
	1,456,318	
Floating debt.....	6,895,462	
		\$38,657,178

E. MIALL.





# RETURN

(25hh)

To an ADDRESS of the HOUSE OF COMMONS, dated the 12th March, 1885 ;—  
For copy of all offers made to the Government for the construction of  
a Railway connecting the Ontario Railway System at or near to Graven-  
hurst with the Canadian Pacific Railway.

By Command.

J. A. CHAPLEAU,

*Secretary of State.*

Department of the Secretary of State,  
Ottawa, 5th June, 1885.

*Department of Railways and Canals, Returns Nos. 69 and 87.*

Returns in answer to an Address of the House of Commons, dated 12th March, 1885, for copy of all offers made to the Government for the construction of a rail-  
way connecting the Ontario system at or near to Gravenhurst with the Canadian  
Pacific Railway.

Also in answer to an Address of the House of Commons, dated 27th April, 1885,  
for copies (1) of any offers for the construction of a line of railway to connect the  
Canadian Pacific Railway with the Ontario railway system, at some point at or  
near to Gravenhurst or Beaverton, or any other point in the district of Muskoka, in  
counties of Ontario or Simcoe. (2) Also copies of any written communications by  
letter, telegram, memorandum or otherwise, between any corporation or individuals  
and the Government of Canada, or any member thereof, or any Department in refer-  
ence to any such offer. (3) Also copies of any Orders in Council granting aid  
toward the construction of such line. (4) Also copies of all regulations, terms and  
conditions prescribed by the Government in connection with the granting of such aid.

SYNOPSIS of papers *re* Gravenhurst and Callander Railway, laid on the Table of the  
House of Commons, 26th March, 1884.

November, 1-7, 1883—From H. J. Beemer, 32682—Offers to build the railway be-  
tween Gravenhurst and Callander (addressed to Sir John A.  
Macdonald.

do 7, 1883—To H. J. Beemer, 20316—Saying that the Government has no  
authority to entertain the proposition contained in No. 32682.

do 12-13, 1883—From H. J. Beemer, 32712—On the same subject as his No.  
32682.

January 25, 1884—From Frank Smith, 33102—Applies for the subsidy (\$12,000  
per mile) authorized by Parliament in aid of a railway  
between Gravenhurst and Callander.

do 25-28, 1884—From James Hickson, 33111—(Tel.)—I trust that as Minister  
of Railways you will allow the G. T. Co. to place its interests  
in connection with the Callander line fully before you, prior  
to coming to the granting of the Government bonus. Tele-  
gram to Sir John—Will you allow the G. T. Co. to be heard  
on the subject of the Callander line before any decision is  
come to in regard to the granting of the proposed bonus ?

do 26, 1884—To James Hickson, 20616—(Tel.)—Telegram received; every  
consideration will be given to any communication you may  
make *re* Callander line, but you should lose no time in for-  
warding it.



OTTAWA, 10th April, 1884.

MEMORANDUM.—The undersigned has the honor to represent that by the Acts 45 Vic., chap. 14 (1882), and 46 Vic., chap. 25 (1883), the grant of a subsidy in aid of the construction of a line of railway between Gravenhurst and Callander was authorized, the total amount being \$12,000 a mile, for a distance of 110 miles, or a sum not exceeding \$1,320,000, such subsidy to be granted to a company who shall first establish, to the satisfaction of the Governor General in Council their ability to complete the road. So far, however, no agreement has been entered into for the work in question.

That there has now been received from the Northern and Pacific Junction Railway Company (formerly the Northern, North-Western and Sault Ste. Marie Railway Company), the name having been changed by the Act 46 Vic., chap. 67, an application for the grant of the aforesaid subsidy, and the company have submitted certain propositions, based on arrangements made between themselves, the Northern Railway Company of Canada and the Hamilton and North-Western Railway Company, which propositions are embodied in the document, a proposed draft of an agreement between themselves and the Government, attached to the present report.

The opinion of the Chief Engineer of Government railways being favorable to the said draft, and the undersigned being satisfied as to the ability of the company to carry the work to completion, he would recommend that this company be approved of by Your Excellency in Council, as required by the authorized Acts, and that he be authorized to enter into agreement with the company upon the basis of the draft herewith submitted, and of the subsidizing Acts aforesaid.

Respectfully submitted,

CHARLES TUPPER, *Minister Railways and Canals.*

*CERTIFIED COPY of a Report of a Committee of the Honorable the Privy Council, approved by His Excellency the Governor General in Council on the 10th April, 1884.*

On a memorandum, dated 10th April, 1884, from the Minister of Railways and Canals, submitting that by the Acts 45 Vic., Chap. 14 (1882), and 46 Vic., chap. 25 (1883), the grant of a subsidy in aid of the construction of a line of railway between Gravenhurst and Callander was authorized, the total amount being \$12,000 a mile, for a distance of 110 miles, or a sum not exceeding \$1,320,000, such subsidy to be granted to a company who shall first establish, to the satisfaction of the Governor in Council their ability to complete the road. So far, however, no agreement has been entered into for the work in question.

The Minister submits an application from the Northern and Pacific Junction Railway Company (formerly the Northern, North-Western and Sault Ste. Marie Railway Company), for the grant of the aforesaid subsidy, and the company submitted at the same time certain propositions, based on arrangements made between themselves, the Northern Railway Company of Canada and the Hamilton and North-Western Railway Company, which propositions are embodied in the draft herewith, a proposed draft of an agreement between themselves and the Government.

The Minister being satisfied as to the ability of the company to carry the work to successful completion, recommends, upon the advice of the Chief Engineer, that this company be approved of by Your Excellency in Council, as required by the subsidizing Acts, and that he be authorized to enter into agreement with the company, upon the basis of the draft herewith submitted, and of the subsidizing Acts aforesaid.

The Committee advise that the requisite authority be granted accordingly.

JOHN J. MCGEE, *Clerk Privy Council.*

Hon. the Minister of Railways and Canals.

This Contract and Agreement made the twelfth day of April, in the year one thousand eight hundred and eighty-four—

Between Her Majesty The Queen, acting in respect of the Dominion of Canada, and herein represented by the Hon. Sir Charles Tupper, K.C.M.G., Minister of Railways and Canals, and "The Northern and Pacific Junction Railway Company."

Whereas, by an Act passed in the forty-fifth year of Her Majesty's reign, chapter fourteen, it was made lawful for the Governor in Council to grant a subsidy not exceeding six thousand dollars per mile, nor exceeding in the whole six hundred and sixty thousand dollars, towards the construction of a railway from Gravenhurst to Callander, both in the Province of Ontario, such subsidy to be granted to such company as shall be approved by the Governor in Council as having established to his satisfaction its ability to complete the said railway within a reasonable time, to be fixed by Order in Council, and according to descriptions and specifications to be approved by the Governor in Council, on the report of the Minister of Railways and Canals, and specified in an agreement to be made by the company with the Government, to be payable out of the Consolidated Revenue Fund of Canada, as in the said Act particularly mentioned.

And whereas, by another Act passed in the forty-sixth year of Her Majesty's reign, chapter twenty-five, it was made lawful for the Governor in Council to grant a further and additional subsidy, not exceeding six thousand dollars per mile, nor exceeding in the whole six hundred and sixty thousand dollars, towards the construction of the same railway, to be granted to such company as should be approved as aforesaid, and also to be payable out of the Consolidated Revenue Fund of Canada, as in the said last mentioned Act particularly mentioned.

And whereas, the Northern and Pacific Junction Railway Company have been approved by the Governor in Council as having established to his satisfaction their ability to complete the said railway within a reasonable time fixed by Order in Council, that is to say, on or before the first day of May, 1886, and according to the description and specification hereinafter set forth, which have been approved by the Governor in Council, on the report of the Minister of Railways and Canals.

And whereas, pursuant to the above recited Acts of Parliament, the Governor in Council hath granted to the Northern and Pacific Junction Railway Company, in aid of the construction of the railway aforesaid, the full subsidies authorized by the said Acts, amounting in the whole to \$12,000 per mile of the railway, but not exceeding in the whole one million three hundred and twenty thousand dollars.

And whereas, the ability of the Northern and Pacific Junction Railway Company to complete the said railway, as so established to the satisfaction of the Governor in Council consists in part of the rents to be derived therefrom under a lease thereof to be made by them to the Northern Railway Company of Canada for and to the use of the said last mentioned company, and the Hamilton and North-Western Railway Company, or to the said two companies jointly. Now, therefore, the Northern and Pacific Junction Railway Company do covenant and agree with Her Majesty the Queen, in consideration of the subsidies granted as hereinbefore and hereafter mentioned:

1. That the said company shall and will commence the work of construction of the said railway not later than the first day of July next, and will carry on the same with all reasonable despatch, and so that the whole line of railway from Gravenhurst to its connection with the Canadian Pacific Railway shall be completed according to the description and specification hereinafter stated, by the first day of May, A.D. one thousand eight hundred and eighty-six.

2. The railway shall be a first-class railway, and in order to establish a standard whereby the quality and the character of the railway and of the materials used in the construction thereof may be regulated, the Canada Atlantic Railway, between Ottawa and Coteau station, on the Grand Trunk Railway, is hereby selected and fixed as such standard, except that wooden superstructures for the truss bridges may be substituted for iron, and the alignments, gradients and curvature shall be the best the physical features of the country will admit of, and shall be subject to the approval of the Governor in Council.



3. It is hereby declared and agreed to be a condition of the granting of the subsidy above and hereinafter referred to, that the Northern and Pacific Junction Railway Company shall, before the payment of any portion of such subsidy, lease the said railway, so to be constructed, to the Northern Railway Company of Canada, for such last named company, and the Hamilton and North-Western Railway Company; or to the said two companies jointly, in perpetuity or for such shorter period as the lessees shall elect, to take such lease and upon such terms, and at such rent as may be agreed upon between the said three companies, the Northern Railway Company being interested in such lease to the extent of two-thirds, and the Hamilton and North-Western Railway Company to the extent of one-third.

4. The said lease shall contain a provision requiring the observance by the lessees of the said railway of the several provisions contained in the thirty-second, thirty-fourth, and thirty-fifth sections of the special Act incorporating the Northern and Pacific Junction Railway Company under the name of the Northern, North-Western and Sault Ste. Marie Railway Company.

5. That through rates and fares shall be agreed upon and made between the lessees and the Canadian Pacific Railway Company from time to time for traffic to and from all points on the Canadian Pacific Railway west of the point of junction with the said projected railway and all points on the railways of the lessees, and such rates and fares shall be divided (cartage, when included in the rate, to be first allowed to the company performing it) on the basis of mileage, except where such division would act unfairly, by reason of the one line of railway having a largely preponderating mileage, in which case the division of rates and fares shall be settled on a fair and equitable basis by mutual agreement, and in default of agreement, by arbitration. If the parties can agree upon a single arbitrator, there shall be but one arbitrator; otherwise, each party shall appoint one arbitrator, and the two so appointed shall appoint a third, and the award of the majority shall be binding; failing agreement as to the third arbitrator, he shall be appointed by one of the judges of the High Court of Justice of the Province of Ontario. Provided that this clause shall have no effect unless the Canadian Pacific Railway shall, within six months from this date, enter into a contract with the lessees, agreeing on its part, to the terms of this clause, and the said agreement shall provide that the through freight business shall be conducted in through freight cars, without transshipment, in the manner and on the terms usual among connecting railways; and for the purpose of facilitating and developing the business of both parties, it shall also provide for the making, from time to time, the mutual arrangement of close and suitable train connections at the point of junction for through passenger business, having regard to the connections of both companies' railways with their other connecting lines, and also for the running of through sleeping cars in such business, and that such connecting trains shall be run by the lessees on their own railways, and on the said leased railway, and by the Canadian Pacific Railway Company on their railway, with due and reasonable expedition, and that each company shall give to the freight traffic interchanged between them the dispatch usually given to through freight by connecting lines of railway.

6. For the purpose of ensuring free interchange of traffic coming to or going from the railway so to be constructed, between the lessees' railways and the railways connecting therewith, so far as such interchange shall be under the control of the lessees, the said lease shall also contain a provision that in the event of the Parliament of Canada being at any time hereafter of opinion that the traffic of the railway system of the lessees, coming from or going to the projected railway, and interchange with lines connecting with the lessees' system of railways, is not so interchanged without preference or prejudice as between such connections, then, being of such opinion, the Parliament of Canada may, if it see fit, cancel the said lease and take over the said railway free from encumbrance, upon assumption of the bond or debenture debts of the lessor company, to the amount of eight thousand dollars per mile of the railway, and upon payment of such further sum of money beyond the said bond debts of \$3,000 per mile, and the said subsidy, as

the said railway may then be worth, the value thereof to be ascertained in case the Government and the company cannot agree by arbitration; the arbitrators to be appointed, one by the Government and the other by the company, and a third by the two so appointed, failing agreement as to such third arbitrator, then by one of the Chief Justices of the High Court of Ontario, under the provisions of the Ontario Judicature Act in that behalf, and the award of the majority shall be binding.

7. In consideration of the premises and upon the terms and conditions hereinbefore mentioned, Her Majesty agrees to grant and does hereby grant to the Northern and Pacific Junction Railway Company a subsidy of twelve thousand dollars per mile of the said railway so to be constructed, but not exceeding in the whole one million three hundred and twenty thousand dollars, payable out of the Consolidated Revenue Fund of Canada, by instalments, on the completion of each ten miles of railway, proportionate to the value of the portion so completed in comparison with the whole work so undertaken, such proportion to be established by the report of the Minister of Railways and Canals, and payment to be made upon the certificate of the Chief Engineer of Government railways, after its approval by the Governor in Council, provided always that this agreement is to be null and void if being laid upon the Table of the House of Commons during the present Session of Parliament, it be disapproved of by a resolution of the said House.

In witness whereof, the Northern and Pacific Junction Railway have caused their corporate seal to be affixed hereto and the Minister of Railways and Canals hath hereunto affixed and set his hand and the seal of the Department of Railways and Canals.

{ Seal. }

"The Northern and Pacific Junction Railway Company"  
by order of the Board of Directors.

ADAM BROWN, *President*.

Signed by Adam Brown, President, }  
in presence of

G. D'ARCY BOULTON.

Signed in presence of }  
H. A. FISSIAULT.

CHARLES TUPPER,  
*Min. of Railways and Canals.*

A. P. BRADLEY,  
*Secretary.*

{ Seal. }

OTTAWA, 18th April, 1884.

SIR,—I am directed to enclose to you herewith a copy of the contract between your company and the Crown, and I am to request that you will be good enough to sign the same, having your signature witnessed by Mr. Boulton (who performed that service on the other copy) with your official seal attached.

Please return the document, in order that the official seal of this Department may be placed thereon, when one copy will be sent to you.

I am, Sir, your obedient servant,

A. P. BRADLEY, *Secretary*.

ADAM BROWN, Esq., Hamilton.

NORTHERN AND PACIFIC JUNCTION RAILWAY,  
HAMILTON, 21st April, 1884.

SIR,—I have the honor to acknowledge receipt of yours (20998) 18th inst., enclosing agreement between this company and the Crown.

I have now signed the same and affixed the seal of the Company. Herewith I enclose the document, as requested, for the official seal of your Department to be placed thereon, and will be glad to receive the copy as promised in your communication.

I have the honor to be, Sir, your obedient servant,

ADAM BROWN, *President*.

Hon. Sir CHARLES TUPPER, K.C.M.G.,  
Minister of Railways and Canals, Ottawa.



OTTAWA, 23rd April, 1884.

SIR,—I return herewith duplicate of agreement with respect to subsidy granted to the Northern and Pacific Junction Railway Company, which has been duly signed and sealed.

I am, Sir, your obedient servant,

A. P. BRADLEY, *Secretary.*

ADAM BROWN, Esq., President

Northern and Pacific Junction Ry. Co., Hamilton, Ont.

## RETURN

(25kk)

an ADDRESS of the HOUSE OF COMMONS, dated the 12th March, 1885;—  
for a copy of all correspondence between the Government of Quebec  
and the Government of Canada, concerning the application of the sum  
of \$960,000, reserved by the Statute 47 Victoria, Chapter 8, for the  
extension of the Canadian Pacific Railway from its terminus at St.  
Martin's Junction to Harbor of Quebec.

By Command.

J. A. CHAPLEAU,

Department of the Secretary of State,  
Ottawa, 21st May, 1885.

*Secretary of State.*

GOVERNMENT HOUSE, QUEBEC, 7th February, 1885.

SIR,—I have the honor to enclose to you a copy of an Order of my Executive  
Council, asking the Government to raise to twelve thousand dollars per mile the  
subsidy granted to the Province of Quebec by the Act 47 Vic., chap. 8, for  
that portion of the North Shore Railway between Quebec and Montreal.

I hope you will submit this demand to the favorable consideration of His Excel-  
lency the Governor General in Council.

I have the honor to be, Sir, your obedient servant,

L. R. MASSON, *Lieutenant-Governor.*

Hon. the Secretary of State, Ottawa.

To the Honorable Louis François Roderique Masson, *Lieutenant-Governor of the  
Province of Quebec.*

REPORT of a Committee of the Executive Council, on Matters submitted to its  
consideration :

PRESENT : Mr. Ross in the Chair.

Mr. ROBERTSON,  
Mr. TAILLON,  
Mr. LYNCH,  
Mr. BLANCHET,  
Mr. FLYNN.

*In Council : Matters of State.*

MAY IT PLEASE YOUR EXCELLENCY :

On a demand to the Federal Government, to raise to \$12,000 per mile the sub-  
sidy granted to the Province by the 47 Vic., chap. 8, for that portion of the North  
Shore Railway between Quebec and Montreal.

The Hon. Prime Minister of the Province of Quebec, in a report dated 6th Feb-  
ruary, instant (1885), expresses the following :—

By the Act 47 Vic., chap. 8, the Government of the Dominion of Canada has  
generously voted a subsidy in favor of the Government of the Province of Quebec, to



indemnify it for the heavy charges it imposed upon itself for the construction of the railroad between Ottawa and Quebec, which is intended to connect with the Pacific and Intercolonial Railway, and form a link of the grand interprovincial line between the Pacific and Atlantic Oceans.

The following is the text of the statute :—

" Her Majesty, by and with the advice and consent of the Senate and House of Commons, enacts as follows :—

" 1st. The Governor in Council may grant the undermentioned subsidies as an aid to the persons, railways and railway companies hereinafter mentioned, viz. :

" To the Government of the Province of Quebec, for the construction of the railroad from Quebec to Ottawa, forming connection between the Pacific and Atlantic coasts *via* the Intercolonial and Canadian Pacific Railroads, and establishing, by the same, an enterprise of not only provincial but national usefulness, a subsidy of not more than \$6,000 per mile, for the portion between Montreal and Quebec, 159 miles, and not exceeding, in all, \$954,000 ; and for the portion between Montreal and Ottawa, 120 miles, \$12,000 per mile, and not to exceed, in all, \$1,440,000 "

Accordingly, by section 1 of said Act 47 Vic., chap. 8, a subsidy of twelve thousand dollars (\$12,000) per mile was granted for the 120 miles of railroad between Ottawa and Montreal, and a subsidy by half less (\$6,000) per mile on the 159 miles between Montreal and Quebec.

The Government of the Province of Quebec, although acknowledging that this partial compensation has been very useful, is obliged to apply to the Government of Canada to request it to give to the principle acknowledged last year by the Federal Parliament its entire application, and to subsidize the portion of the railroad between Montreal and Quebec to the same extent as the portion between Ottawa and Montreal.

The Hon. Prime Minister thinks proper to add the following considerations to the reasons in favor of this demand, which have already been exposed in Order in Council, No. 54, of the 11th February, 1884 :—

The object of the construction of the Pacific Railway was to establish connection between the two oceans and to create an easy and uninterrupted communication between the seaports of British Columbia and the seaports of the East—Montreal, Quebec, Halifax, &c.

The ports of the Maritime Provinces had then a sure communication with the west by the means of the Intercolonial Railway, which is built at the expense of Government.

When the North Shore Railroads (from Quebec to Montreal and from Montreal to Aylmer) were undertaken, the promoters had for their object the creation of a line which would become, one day, one of the links of our grand transcontinental line. Not being able to obtain then the assistance they thought they were entitled to give away the enterprise to the Government of the Province, who, without any aid from the Federal Government, successfully carried it out at the price of great sacrifices.

When the Provincial Government assumed the responsibility of that enterprise, the Federal Government had itself undertaken the construction of the Pacific Railway, so that almost the whole line from the Pacific Ocean to Quebec was then under the control of either the Federal or the Provincial Government ; that is to say, public property, or subsidized by the Government. The line from Quebec to Halifax was also Government property, with the exception of the portion between Levis and Rivière du Loup, which belonged to the Grand Trunk.

That portion between Levis and Rivière du Loup was soon bought by the Federal Government, who, by that purchase, clearly indicated its intention that the whole of the transcontinental line should be under Government control, either as national property or by Acts granting subsidies. In one word : the Government was desirous that the whole line, from one ocean to the other, should be under its control and superintendence.

The road between Ottawa and Quebec is the only section of this great line that has neither been constructed nor subsidized by the Canada Government. The Government of the Province of Quebec, which was not obliged to build at its expense a

commercial line belonging to the domain of the Federal Government, was obliged to pay alone the cost of that enterprise, and to get into debt, not only to obtain the funds necessary to the construction of the railroad, but also to pay interest to the holders during several years, before being able to pay it out of the revenue of the line. It was said that the Quebec Government having sold the North Shore Railway had no right to the subsidy of \$12,000 a mile on that line. It could not be held, however, that in the event of the Pacific Company or any other subsidized company selling their roads, the Government would expect to be reimbursed for its subsidies, at whatever prices these roads may be sold. As the question now stands and as it always stood, the Province of Quebec had a right, from the beginning, to the federal subsidy, on the entire line between Quebec and Ottawa, and it has still a right to it, whatever circumstances may have arisen since then. Moreover, it is a known fact that the railways on the North Shore have cost the Provincial Government a great deal more than what has been realized by their sale, even by adding to the prices of the two sections a subsidy of \$12,000 per mile on the whole line from Ottawa to Quebec.

It is very important to note here that the Government of the Province of Quebec has offered to the Federal Government as well as to the Canadian Pacific Railway to sell them the road known as "Quebec, Montreal, Ottawa and Occidental," before entering into any agreement with other private companies, and that the offer of the Provincial Government was refused.

The attention of the Federal Government ought to be specially drawn to the provisions of the Provincial Acts 45 Vic., chap. 19, Appendix "A," paragraphs eleven, eight, nine and ten, and 45 Vic., chap. 20, contract paragraphs four, five, six, seven and ten. By these provisions the privileges of the Canadian Pacific for the circulation of its cars on the Quebec and Montreal Railroad, and other privileges, have been maintained, notwithstanding the sale of the line (from Montreal to Quebec) to a private company, and at the present time those privileges of the Canadian Pacific on the line from Quebec to Montreal exist as a right, and are protected by law.

To recapitulate: the Dominion Government, by its Ministers and Parliament, by the Act of last Session, 47 Vic., chap. 8, have declared that the whole portion from Ottawa to Quebec was a natural continuation of the Great Pacific line. The Government, which has built it, ought to be as well treated as the companies who have constructed the other parts of the line.

The Province of Quebec would rather have the right to maintain that this portion ought to have been built entirely at the expense of the Federal Government, as well as the other parts of the great Canadian Pacific line in British Columbia, Ontario and the Maritime Provinces.

The Prime Minister therefore recommends that a despatch be sent by His Honor the Lieutenant-Governor to His Excellency the Governor General, praying the Dominion Government to amend the Act 47 Vic., chap. 8, by granting to the Government of the Province of Quebec, for the 159 miles it has built between Quebec and Montreal, a subsidy equal to that granted by the same Act for the 120 miles built between Montreal and Ottawa, that is to say, \$12,000, instead of \$6,000 per mile.

The Committee concur in the foregoing report, and submit the same for the Lieutenant-Governor's approval.

The whole respectfully submitted.

Approved 7th February, 1885.

JOHN J. ROSS, *President of the Committee.*

L. R. MASSON, Lieutenant-Governor.

GOVERNMENT HOUSE, QUEBEC, 20th March, 1885.

SIR,—I have the honor to transmit certain resolutions passed by the Legislative Assembly of the Province of Quebec at a sitting held on the 19th March instant, and to request that you will cause the same to be submitted for His Excellency the Governor General's consideration.

I have, &c.,

L. R. MASSON, *Lieutenant-Governor.*

Hon. J. A. CHAPLEAU, Secretary of State.



## LEGISLATIVE ASSEMBLY, QUEBEC, 19th March, 1885.

*Resolved*,—That whereas the Parliament of Canada, by the Act 47 Vic., chap. 8, voted a subsidy in favor of the Government of Quebec towards the cost of construction of the line of railway between Ottawa and Quebec, forming a connecting link between the Atlantic and Pacific coasts *via* the Intercolonial and Pacific Railways, being, as such, a work of national and not merely provincial utility.

Whereas, for that portion of the said railway between St. Martin's Junction (near Montreal) and Quebec, 159 miles, the amount of the said subsidy voted was only at the rate of \$6,000 per mile, instead of \$12,000, as granted for the remaining portion of the said railway, notwithstanding that that part of the road between St. Martin's and Quebec forms, equally with the portion from Montreal to Ottawa, a part of the said connecting link between the Atlantic and Pacific coasts, and as such is justly entitled to the same amount as the other part of the said railway.

Be it resolved, that this House fully concurs in the justice of the demand made by the Provincial Government in the memorial of the 6th February last, to the Dominion Government, claiming payment of the \$6,000 a mile for that part of the said railway between St. Martin's and Quebec withheld from this Province by the said Act of last Session.

That in view of the sacrifices made by this Province in the construction of the said railway, so important for the Dominion, this House is only expressing and urging the views of the entire people of this Province in asking that justice be done by the Dominion authorities by the payment of an additional sum of \$6,000 a mile for the distance between St. Martin's Junction and Quebec.

Attest.

J. WURTELE, *Speaker, L.A.Q.*

## GOVERNMENT HOUSE, QUEBEC, 20th March, 1885.

SIR,—I have the honor to transmit certain resolutions passed by the Hon. the Legislative Council of the Province of Quebec in to-day's sitting, with reference to the request made, on the 7th of February last, by my Government, for a supplementary grant for that portion of the North Shore Railway which lies between Quebec and Montreal.

I beg that you will submit these resolutions to the consideration of His Excellency the Governor General.

I am, &c,

L. R. MASSON, *Lieutenant-Governor Province of Quebec.*

Hon. the Secretary of State, Ottawa.

## LEGISLATIVE COUNCIL, FRIDAY, 20th March, 1885.

Whereas the line of railway built by the Government of the Province of Quebec on the north shore of the rivers Ottawa and St. Lawrence, between Ottawa and Quebec, forms an important link of the great Canadian transcontinental line, and, as such, is a national undertaking, and not one of provincial utility alone.

*Resolved*,—That this House fully concurs in the justice of the application made by the Provincial Government in its memorial of the 6th February last to the Government of Canada, praying it to amend the Act 47 Vic., chap. 8, in order to grant to the Government of the Province of Quebec, for the 159 miles of railway which it has built between Quebec and St. Martin, a subsidy equal to that which is granted by the said Act for the 120 miles which it has built between Montreal and Ottawa, that is, \$12,000 per mile, in place of \$6,000 per mile.

Attest.

BOUCHER DE BOUCHERVILLE.

## RETURN

(25*ll*)

To an ADDRESS of the HOUSE OF COMMONS, dated 9th February, 1885 ;—For a Statement showing the gross earnings, expenses and net earnings of the Canadian Pacific Railway for each month of the years 1883 and 1884, distinguishing between the main line and the lines now worked under the lease from the Ontario and Quebec Railway Company, and distinguishing also between the main line east of Port Arthur or Fort William and the main line west of that point, giving in each case the mileage open for traffic during the month specified.

By Command.

J. A. CHAPLEAU,

*Secretary of State.*

Department of the Secretary of State,  
Ottawa, 12th June, 1885.

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MONTREAL, 30th May, 1885.

SIR,—As requested by your letter of the 12th February, I beg to enclose, for the information of the House of Commons, statements showing the gross earnings, expenses and net earnings of the Canadian Pacific Railway for each month of the years 1883 and 1884, respectively, in the lines east and west of Lake Superior. Your letter asks that these returns may distinguish between the main line and the lines now worked under the lease from the Ontario and Quebec Railway Company.

As the earnings and expenses of the lines operated by this company east of Lake Superior, are, to a large extent, common to the different sub-sections of this portion of the railway system, the company has not, in its accounts, attempted an accurate apportionment of the earnings and expenses between all of the sub-sections and branches, as such accurate apportionment would involve a very large expenditure, without any corresponding advantage to the company.

As much time and labor would be involved in the analysis of the earnings and expenses to fully comply with the Order of the House of Commons, a statement showing the earnings and expenses of the lines east and west of Lake Superior separately is submitted, in the hope that it will answer the objects of the Order.

I have the honor to be, Sir, your obedient servant,

C. DRINKWATER, *Secretary.*

A. P. BRADLEY, Esq, Secretary Department Railways and Canals,  
Ottawa.



## CANADIAN PACIFIC RAILWAY COMPANY.

STATEMENT of Earnings, Expenses and Net Earnings on lines east of Lake Superior, during 1883.

Month.	Earnings.	Expenses.	Net Earnings.	Miles Operated.
	\$ cts.	\$ cts.	\$ cts.	
January.....	98,805 49	99,943 53	*1,138 04	418
February.....	94,048 01	99,272 22	*5,224 21	418
March.....	93,967 41	106,714 77	*12,747 36	418
April.....	122,408 26	102,592 04	19,816 22	418
May.....	122,272 44	104,120 45	18,151 99	418
June.....	157,595 00	106,325 21	51,269 79	418
July.....	155,163 94	98,366 72	56,797 22	418
August.....	142,504 02	119,309 82	23,194 20	418
September.....	134,563 16	112,615 63	21,947 53	465
October.....	144,994 35	105,245 73	39,748 62	465
November.....	119,648 69	107,559 31	12,089 38	465
December.....	113,471 92	109,091 84	4,380 08	465
	1,499,442 69	1,271,157 27	228,285 42	

\*These figures indicate net loss.

## CANADIAN PACIFIC RAILWAY COMPANY.

STATEMENT of Earnings, Expenses and Net Earnings on lines west of Lake Superior, during 1883.

Month.	Earnings.	Expenses.	Net Earnings.	Miles Operated.
	\$ cts.	\$ cts.	\$ cts.	
January.....	80,153 08	256,176 74	*176,023 66	734
February.....	96,276 86	242,065 92	*145,789 06	734
March.....	237,313 15	266,449 10	*29,135 95	734
April.....	296,985 45	265,119 43	31,866 02	734
May.....	478,808 12	314,660 91	164,147 21	734
June.....	465,064 60	340,200 30	124,864 30	1,134
July.....	437,746 01	352,884 39	84,861 62	1,286
August.....	438,581 13	348,069 01	90,512 12	1,286
September.....	349,020 40	315,985 74	33,034 66	1,466
October.....	465,321 82	318,865 66	146,456 16	1,466
November.....	368,201 40	336,460 88	31,740 52	1,466
December.....	210,781 24	234,457 50	23,676 26	1,466
	3,924,253 26	3,591,395 58	332,857 68	

\*These figures indicate net loss.

## CANADIAN PACIFIC RAILWAY COMPANY.

STATEMENT of Earnings, Expenses and Net Earnings, of the lines in Ontario and Quebec, east of Lake Superior, during 1884.

Month.	Earnings.	Expenses.	Net Earnings.	Miles Operated.
	\$ cts.	\$ cts.	\$ cts.	
January.....	112,243 13	132,702 47	*20,459 34	545
February.....	111,168 02	125,687 34	*14,519 32	545
March.....	122,368 58	129,518 89	*7,150 31	545
April.....	139,558 61	108,123 48	31,435 13	545
May.....	166,997 39	122,885 47	44,111 92	545
June.....	254,662 04	176,213 11	78,448 93	920
July.....	262,066 83	197,678 24	64,408 59	920
August.....	282,696 72	192,150 68	90,546 04	920
September.....	363,997 20	195,412 78	168,584 42	1,119
October.....	343,914 29	228,971 50	114,942 79	1,178
November.....	311,402 70	212,438 48	98,964 22	1,209
December.....	311,990 68	206,371 71	105,618 97	1,209
Total for Year.....	2,783,086 19	2,028,154 15	754,932 04	

\*These figures indicate net loss.

## CANADIAN PACIFIC RAILWAY COMPANY.

STATEMENT of Earnings, Expenses and Net Earnings, of the line west of Lake Superior, during 1884.

Month.	Earnings.	Expenses.	Net Earnings.	Miles Operated.
	\$ cts.	\$ cts.	\$ cts.	
January.....	162,401 89	269,212 72	*106,810 83	1,488
February.....	113,470 52	238,278 14	*124,807 62	1,488
March.....	157,206 64	225,756 87	*68,550 23	1,488
April.....	204,407 91	210,815 23	*6,407 32	1,488
May.....	257,559 38	226,854 46	30,704 92	1,488
June.....	295,999 18	222,817 01	73,182 17	1,488
July.....	287,280 38	196,994 79	90,285 59	1,488
August.....	283,117 75	191,833 17	91,284 58	1,488
September.....	275,842 58	212,215 96	63,626 62	1,555
October.....	391,616 82	209,111 12	182,505 70	1,555
November.....	328,970 68	182,721 89	146,248 79	1,555
December.....	209,561 35	143,865 24	65,696 11	1,555
Total for Year.....	2,967,435 08	2,530,476 60	436,958 48	

\*These figures indicate net loss.



## RETURN

(25mm)

To an ADDRESS of the HOUSE OF COMMONS, dated 12th February, 1885 ;—  
For a Statement showing :

- (1.) The expenditure by the Canadian Pacific Railway Company upon its main line of Railway, between Callander and Port Arthur and between Selkirk and Kamloops, since the expenditure of \$23,078,950, shown by the letter of Mr Stephen to the Minister of Railways and Canals, of the 15th January, 1884.
  - (2.) The materials on hand in respect of the described main line of Railway.
  - (3.) The receipt by Company since the account given in the said letter in respect of—
    - (a.) Cash Subsidy.
    - (b.) Government Loan.
    - (c.) Land Grant Bonds or land sales, or from the pledging of Land Grant Bonds.
  - (4.) The amount, if any, due by the Company in respect of construction of the described main line.
  - (5.) Estimates of the cost of the work of construction remaining to be done on the described main line, showing whether the materials on hand are taken into account in such estimate or not.
  - (6.) An estimate of the whole cost of construction of the described main line when completed.
  - (7.) Statement of the cost of equipment of the described main line at the date of the account in Mr. Stephen's letter.
  - (8.) Statement of the cost of equipment of the described main line since that date.
  - (9.) Estimate of the further cost of equipment of the described main line when completed.
  - (10.) Estimate of the complete cost of equipping the described main line.
- All such statements and estimates being separate for each of the described divisions, viz. :

(a.) That between Callander and Port Arthur, and (b) that between Selkirk and Kamloops.

By Command.

J. A. CHAPLEAU.

*Secretary of State.*

Department of the Secretary of State,  
Ottawa, 13th June, 1885.

CANADIAN PACIFIC RAILWAY COMPANY,  
OFFICE OF THE SECRETARY, MONTREAL, 30th May, 1885.

SIR,—As requested by your letter of the 18th February, I beg to enclose, for the information of the House of Commons, the following statements:—

1. Expenditure by the Canadian Pacific Railway Company upon its main line of railway between Callander and Port Arthur, and between Selkirk and Kamloops, since the expenditure shown by Mr. Stephen's letter of 5th January, 1884.

2. Value of the material on hand in respect of the described main line of railway.

3. The receipts of the company since the account given in said letter in respect of:—

A. Cash subsidy.

B. Government loan.

C. Land grant bonds or land sales, or from the pledging of land grant bonds.

4. The account due by the company in respect of construction of the described main line.

7. Statement of the cost of equipment of the described main line at the date of Mr. Stephen's letter.

8. Statement of the cost of equipment since that date.

Your letter also calls for an estimate of the work of construction remaining to be done on the described main line, showing whether the materials on hand are taken into account in such estimate; also an estimate of the further cost of equipment of the described main line when completed; also an estimate of the complete cost of equipping the described main line.

I am directed to state that, whilst the directors are of opinion that the balance of subsidy and loan will be ample to complete the construction of the main line as described in the contract, they are not in a position to give an exact estimate, such as you call for; neither can they estimate, at this period, what the full equipment of the line will cost, as that will be governed entirely by the extent of the traffic.

I have the honor to be, Sir, your obedient servant,

C. DRINKWATER, *Secretary.*

A. P. BRADLEY, Esq., Secretary Department Railways and Canals,  
Ottawa.

STATEMENT OF EXPENDITURE by the Canadian Pacific Railway Company since letter of Mr. Stephen to Minister of Railways and Canals, of 5th January, 1884, to 31st December, 1884.

1. Between Callander and Port Arthur.....	\$15,914,134
do Selkirk and Kamloops.....	4,923,425
2. Material on hand. ....	3,687,729
3. Receipts of the Company since account in said letter :	
A. Cash subsidy .....	7,951,105
B. Government loan :	
Total received.....	\$18,626,600
Less, amount on 1883 indebtedness .....	\$7,500,000
Less, amount repaid Government on advance on rails, 1883	339,235
	<u>7,839,235</u>
	10,787,365
C. Land sales and land grant bonds.....	255,810
Loans on pledge of land grant bonds.....	594,712
4. Amounts due contractors on construction of described main line.....	1,988,513
7. Cost of equipment at date of Mr. Stephen's letter...	8,638,306
8. Cost of equipment since that date.....	<u>530,449</u>



# RETURN

(25<sup>nn</sup>)

To an ADDRESS of the HOUSE OF COMMONS, dated 24th February, 1885;—  
For a Statement of the cost of the Canadian Pacific Railway from  
Winnipeg to a point 615 miles west of Winnipeg, divided under the  
usual sub-headings of cost of Railway construction, or in case the Com-  
pany has not recorded the expense under the usual sub-headings, then  
divided in such a way and in such detail as the Company have  
recorded it.

By Command.

J. A. CHAPLEAU,

Department of the Secretary of State,  
Ottawa, 12th June, 1885.

Secretary of State.

THE CANADIAN PACIFIC RAILWAY COMPANY,  
OFFICE OF THE SECRETARY, MONTREAL, 30th May, 1885.

SIR,—As requested by your letter of 3rd March, I beg to enclose, for the infor-  
mation of the House of Commons, a statement of the cost of the Canadian Pacific  
Railway from Winnipeg to a point 615 miles west, divided under the usual sub-  
headings of cost of railway construction.

I have the honor to be, Sir, your obedient servant,

C. DRINKWATER, *Secretary.*

A. P. BRADLEY, Esq., Secretary Department of Railways and Canals,  
Ottawa.

STATEMENT OF EXPENDITURE to 31st December, 1884, in construction of Line from  
Winnipeg to 615 miles west, not including anything at Winnipeg, and not  
including Equipment.

Engineering.....	\$ 378,700 00
Right of way.....	46,003 00
Grading.....	2,309,013 00
Rails, fastenings, ties and track-laying.....	3,699,797 00
Surfacing and ballasting.....	818,497 00
Bridges, culverts, &c.....	437,525 00
Section houses and miscellaneous buildings.....	130,080 00
Stations, sheds and yards.....	291,985 00
Water service and tanks.....	367,203 00
Sidings and switches.....	334,523 00
Round-houses, shops and turn-tables.....	145,207 00
Fences, crossings, &c.....	56,194 00
Coal houses and platforms.....	59,357 00
Telegraph lines, instruments, &c.....	129,399 00
Transportation of material and supplies.....	1,134,315 00
Taking up old track west of Portage la Prairie.....	8,888 00
Incidental expenses.....	354,878 00

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\$10,701,564 00

## RETURN

(25pp)

To an ADDRESS of the SENATE, dated the 25th February, 1885 ;—For all correspondence had since the 1st January, 1884, between the Government of Canada and the Government of the Province of Quebec, concerning all sums of money granted by the Government of Canada to the Province of Quebec, and all claims of the Province of Quebec, by way of indemnity on account of the construction of the North Shore Railway, heretofore called the Quebec, Montreal, Ottawa and Occidental Railway, together with a copy of all Memorials presented to the Federal Government during the same period by the Government of Quebec, respecting all claims or demands of indemnity for the same cause.

By Command.

J. A. CHAPLEAU,

Department of the Secretary of State,  
Ottawa, 15th April, 1885.

*Secretary of State.*

OTTAWA, 10th April, 1885.

SIR,—I have the honor, in answer to an Address of the Senate, dated 25th February, 1885, asking for correspondence between the Dominion Government and the Government of the Province of Quebec *in re* claims for indemnity on account of the North Shore Railway, to transmit herewith copy of a despatch dated 7th February, 1885, from the Lieutenant-Governor of Quebec, enclosing an Order of his Executive Council, asking that the Dominion Government will increase to \$12,000 per mile the subsidy granted to the North Shore Railway between Quebec and Montreal, which comprises all papers of record in this office called for by the above address, returned herewith.

I have the honor to be, Sir, your obedient servant,

JOHN J. MCGEE, *Clerk Privy Council.*

The Under Secretary of State, Ottawa.

(Translation.)

GOVERNMENT HOUSE, QUEBEC, 7th February, 1885.

SIR,—I have the honor to enclose herewith a copy of an Order of my Executive Council, asking the Dominion Government to fix, at twelve thousand dollars per mile, the subsidy granted to the Province of Quebec, by the Act 47 Vic., chap. 8, for that part of the North Shore Railway between Quebec and Montreal.

I beg you to submit this request to the favorable consideration of His Excellency the Governor General.

I have, &c.,

L. R. MASSON.

Hon. the Secretary of State, Ottawa.  
25pp—1



*Hon. Louis François Rodrigue Masson, Lieutenant-Governor of the Province of Quebec, &c.:*  
REPORT of a Committee of the Executive Council, on matters submitted for its consideration.

## PRESENT :

Hon. Mr. Ross, President.

Mr. ROBERTSON,

Mr. TAILLON,

Mr. LYNCH,

Mr. BLANCHET,

Mr. FLYNN.

*In Council: Matters of State.*

MAY IT PLEASE YOUR HONOR :

On a request to the Federal Government to fix at \$12,000 per mile the subsidy granted to the Province by 47 Vic., chap. 8, for that part of the North Shore Railway between Quebec and Montreal.

The Hon. Prime Minister of the Province, in a report dated 6th February instant (1885), expresses himself as follows: By the Act 47 Vic., chap. 8, the Federal Government voted a subsidy to the Quebec Government to indemnify it in part for the heavy burden it assumed by constructing the North Shore Line of Railway between Ottawa and Quebec, which will serve as a connection between the Pacific Railway and the Intercolonial, and constitute one of the links of the great inter-provincial highway connecting the Pacific Ocean and the Atlantic.

The following are the terms of the Act:

"Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada enacts as follows:—

"1. The Governor in Council may grant the subsidies hereinafter mentioned to and for the parties, railways and railway companies hereinafter mentioned, that is to say:

"To the Government of the Province of Quebec, in consideration of their having constructed the railway from Quebec to Ottawa, forming a connecting line between the Atlantic and Pacific coasts, *via* the Intercolonial and Canadian Pacific Railways, and being, as such, a work of national, not merely provincial utility, a subsidy not exceeding \$6,000 per mile for the portion between Quebec and Montreal, 159 miles, nor exceeding in the whole \$954,000. And for the portion between Montreal and Ottawa, 120 miles, \$12,000 per mile, nor exceeding in the whole \$1,440,000."

Thus, by the first section of the said Act 47 Vic., chap. 8, a subsidy of twelve thousand dollars (\$12,000) per mile was granted on the 120 miles of railway comprised between Ottawa and Montreal, and a subsidy one-half less (\$6,000 per mile) on the 159 miles comprised between Montreal and Quebec.

The Government of the Province of Quebec, while admitting that this partial compensation is of great utility to them, must address the Government of Canada, and ask them to give its full application to the principle adopted last year by the Federal Parliament, and subsidize that portion of the railway between Montreal and Quebec on the same scale as the portion between Ottawa and Montreal.

To the reasons which militate in favor of this request, and which were set forth in the Order in Council, No. 54, of 11th February, 1884, the Hon. Prime Minister deems it his duty to add the following considerations:—

The object of the construction of the Pacific Railway was to connect together the two oceans, and to create an easy and uninterrupted line of communication on Canadian territory between the seaports of British Columbia and the seaports of the East—Montreal, Quebec, Halifax, &c., &c. The ports of the Maritime Provinces then had their communication with the west secured by means of the Intercolonial Railway, constructed entirely at the expense of the State.

When the North Shore Railways (from Quebec to Montreal, and from Montreal to Aylmer) were undertaken, their promoters had in view the creation of a line

which would one day become one of the links in our great transcontinental line. Having failed to secure the assistance they considered themselves entitled to receive, they had to give up the undertaking to the Government of the Province, who, without any assistance from the Federal Government, themselves carried it out to a successful issue, at the price of very great sacrifices.

At the period when the Provincial Government assumed the responsibility of that undertaking the Dominion Government had themselves undertaken the task of constructing the Pacific Railway, so that nearly the entire line from the Pacific Ocean to Quebec was then under the control of the Federal Government or the Government of Quebec, that is to say, public property or subsidized by the State. The line from Quebec to Halifax was also the property of the Government, except the section between Levis and River du Loup, which belonged to the Grand Trunk.

That section (between Levis and Rivière du Loup) was soon acquired by the Federal Government, who, by that purchase, clearly showed that they desired that the whole transcontinental line should be under the control of the State, either as national property or in virtue of Acts granting subsidies. In short, the Government wanted that the whole line from ocean to ocean should be under their own control or their own supervision.

The railway from Ottawa to Quebec is the only section of that great line which was neither constructed nor subsidized from the beginning by the Government of Canada. The Government of the Province of Quebec, which was in no way bound to construct, at its own expense, a commercial line more properly within the domain of the Federal Government, was obliged to defray alone the cost of that undertaking, and to incur debt, not only to obtain the funds necessary for the construction of the railway, but also for the payment of interest to lenders during several years before receiving anything from the revenue of the railway. It has been maintained that the Quebec Government, having sold the North Shore Railway, is no longer strictly entitled to the subsidy of \$12,000 per mile on that line. Yet it could not be maintained that if the Pacific Railway Company, or any other subsidized company, were to sell their railway, the Government should expect to be repaid its subsidies, no matter at what price the railway might be sold. Looking at the question as it now stands and has always stood, the Province of Quebec was entitled, from the first to the Dominion subsidy on the whole line from Quebec to Ottawa, and is still entitled thereto, whatsoever circumstances may have occurred since then. Besides, it is well known that the North Shore Railways cost the Provincial Government much more than was realized by their sale, even if we add to the proceeds of the sale of the two sections a grant of \$12,000 per mile on the whole line from Ottawa to Quebec.

It is most important to bear in mind at this point that the Quebec Government offered to the Government of the Dominion, and to the Pacific Railway Company, to sell them the railway called "The Quebec, Montreal, Ottawa and Occidental," before entering into negotiations with other private companies, and that the offer of the Provincial Government was refused.

The attention of the Dominion Government must also be specially called to the provisions of the Provincial Acts, 45 Vic., chap. 19, Appendix A, sections 7, 8, 9 and 10, and 45 Vic., chap. 20, sections of the contract 4, 5, 6, 7 and 10. By these provisions the privileges of the Canadian Pacific, as to running powers over the railway from Montreal to Quebec, and other privileges, were maintained, notwithstanding the sale of the line (from Montreal to Quebec) to a private company, and at this moment the privileges of the Canadian Pacific, on the line from Montreal to Quebec, exist of right and are guaranteed by the law.

In conclusion, the Government of the Dominion, by its Ministers, and Parliament by the Act of last Session, 47 Vic., chap. 8, declared that the whole railway from Ottawa to Quebec was a natural continuation of the great Pacific line. The Government that constructed it should not be treated less favorably than the companies that constructed the other portions of the line. Rather would the Province of Quebec be entitled to claim that that portion should have been constructed at the cost of the Dominion Government, equally with those portions of the great Canadian Pacific comprised within British Columbia, Ontario or the Maritime Provinces.



The Prime Minister, therefore, recommends that a despatch be sent by His Honor the Lieutenant-Governor to His Excellency the Governor General, asking the Government of Canada to amend the Act 47 Vic., chap. 8, by granting to the Province of Quebec, for the 159 miles of railway by it constructed, between Montreal and Quebec, a subsidy equal to that granted by the same Act for the 120 miles constructed by it between Ottawa and Montreal, namely, \$12,000 in place of \$6,000 per mile.

The Committee concur in the above report, and submit it to the approbation of the Lieutenant-Governor.

JOHN J. ROSS, *President Committee.*

Approved this 7th Feb., 1885.

L. R. MASSON, Lieutenant-Governor.

The whole respectfully submitted.

JOHN J. ROSS, *President.*

EXECUTIVE COUNCIL OFFICE, QUEBEC,  
6th February, 1885.

EXECUTIVE COUNCIL DEPARTMENT, QUEBEC, 7th February, 1885.

I, the undersigned, Clerk of the Executive Council of the Province of Quebec, certify that the copy of the Order passed in Council by the Lieutenant-Governor of the Province of Quebec, on the 7th February, 1885, numbered thirty-seven (37), transcribed in part on this page and in part on the twelve preceding pages, is a true copy of the original of the said Order in Council filed in the archives of this Department.

JOS. A. DEFOY, *Clerk Executive Council.*

DEPARTMENT SECRETARY OF STATE, OTTAWA, 10th January, 1885.

SIR,—I have the honor to acknowledge the receipt of your letter of the 7th instant, transmitting to me copy of an Order in Council respecting the grant for the North Shore Railway, and to inform you that the matter will receive all the attention it merits.

I have the honor to be, &c., &c.,

G. POWELL, *Under Secretary of State.*

His Hon. the Lieutenant-Governor Province Quebec.

# RETURN

(29)

(IN PART.)

To an ADDRESS of the HOUSE OF COMMONS, dated 24th January, 1884 ;—For copies of all Orders in Council, Reports and Correspondence not already brought down, in reference to the exercise or non-exercise of the power of Disallowance as to any Provincial Acts, with a Statement of the dates of Prorogation of each of the Provincial Assemblies, and of the dates at which the Acts of the Session were received at Ottawa, and copy of the Despatches addressed to the Lieutenant-Governors on the subject of the transmission to the Government of Canada of such Acts.

By Command,

J. A. CHAPLEAU,

Department of the Secretary of State,  
Ottawa, 9th February, 1885.

*Secretary of State.*

DEPARTMENT OF JUSTICE, OTTAWA, 29th January, 1885.

Upon the reference of an Address of the House of Commons, dated 24th January, 1884, asking for copies of all Orders in Council, reports and correspondence not already submitted, on the subject of the exercise or non-exercise of the power of disallowance, relative to any provincial Acts, also a statement giving the dates of prorogation of the Provincial Legislatures, and the dates at which the Acts of such Session were received at Ottawa, and copies of despatches addressed to Lieutenant-Governors, on the subject of the sending of such Acts to the Government of Canada, the undersigned has the honor to transmit all copies of Orders in Council, reports and correspondence in possession of this Department relative to the allowance or disallowance of any provincial Acts, not brought down, to the date of the said Address.

The dates of the prorogation of the Provincial Legislatures, and of the receipt of the Acts at Ottawa, together with any despatches on the subject of the sending of such Acts, as also any correspondence connected with the question of disallowance, should be furnished by the Department of Secretary of State.

A. POWER, *for Deputy Minister of Justice.*

Hon. the Secretary of State, Ottawa.

## PROVINCIAL LEGISLATION.

(45th Victoria, 1881.)

### LIST OF PROVINCIAL ACTS DISALLOWED.

#### *Ontario.*

*Chapter 11.* An Act for protecting the Public Interests in Rivers, Streams and Creeks.

Order in Council  
19th May, 1881.

*Quebec.*

None.



*Nova Scotia.*

None.

*New Brunswick.*

None.

*Prince Edward Island.*

None.

*Manitoba.*

*Chapter 37.* An Act to incorporate the Winnipeg South-Eastern Railway Company.

Order in Council,  
12th Jan. 1882.

*Chapter 38.* An Act to incorporate the Manitoba Tramway Company.

Order in Council,  
3rd Nov. 1882.\*

*Chapter 39.* An Act to incorporate the Emerson and North-Western Railway Company.

do

*British Columbia.*

None.

## PROVINCIAL LEGISLATION.

(45th Victoria, 1881.)

## LIST OF PROVINCIAL ACTS COMMENTED UPON, BUT NOT DISALLOWED.

*Ontario.*

*Chapter 5.* An Act to Consolidate the Superior Courts, establish a uniform system of Pleading and Practice and make further provisions for the due Administration of Justice.

Order in Council  
6th March, 1882

*Chapter 27.* An Act to give increased efficiency to the Laws against Illicit Selling.

do

*Chapter 38.* An Act to close part of a certain Road Allowance between the Townships of Kingston and the Village of Portsmouth.

do

*Chapter 57.* An Act to amend the Acts incorporating the Toronto Gravel Road and Concrete Company.

do

*Quebec.*

*Chapter 46.* An Act respecting Laval University, and for the purpose of increasing the number of its chairs of Arts and other faculties within the limits of the Province of Quebec.

do  
22nd July, 1882, &  
24th July, 1882.

*Chapter 69.* An Act to incorporate the Canadian Electric Light Company.

do

*Chapter 72.* An Act to incorporate the Quebec and Levis Telephone Company.

do

*Nova Scotia.*

*Chapter 11.* An Act in reference to Crown Lands and Crown Land Surveyors.

9th Feb., 1882.

*Chapter 16.* An Act to amend the Nova Scotia Railway Act, 1880.

6th March, 1882.  
12th Oct., 1882.

*New Brunswick.*

*Chapter 19.* An Act relating to the qualification of Physicians and Surgeons.

24th July, 1882.

*Chapter 44.* An Act to incorporate the St. John Bridge and Railway Extension Company.

do

\* This Order in Council also relates to chapter 30 of 1882.

*Prince Edward Island.*

None.

*Manitoba.*

*Chapter 2.* An Act to bring into force and operation the Consolidated Statutes of Manitoba. 6th March, 1883.

*Chapter 7.* An Act to protect Guide Posts along certain roads in this Province. do

*Chapter 16.* An Act respecting the Equity side of the Court of Queen's Bench.

*Chapter 28.* An Act for dividing the Province into Judicial Districts and establishing Courts therein. do

*Chapter 33.* An Act to incorporate the Southern Manitoba Loan Company. do

*Chapter 34.* An Act for the incorporation of the Winnipeg Suspension Bridge Company. do

*British Columbia*

*Chapter 1.* An Act to carry out the objects of the "Better Administration of Justice Act, 1878," and the Judicial District Act, 1879. 27th June, 1892.

*Chapter 15.* An Act to amend the Gold Mining and Mineral Acts. do

## PROVINCIAL LEGISLATION.

## LIST OF PROVINCIAL ACTS DISALLOWED.

(45th VICTORIA, 1882.)

*Ontario.*

*Chapter 14.* An Act for protecting the Public Interest in Rivers, Streams and Creeks. Order in Council, 20th Sept., 1882.

*Quebec.*

None.

*Nova Scotia.*

None.

*New Brunswick.*

*Chapter 69.* An Act to incorporate the Fredericton and St. Mary's Bridge Company. Action deferred by Order in Council, 6th March, 1883. Act disallowed by Order in Council, 24th July, 1883.

*Prince Edward Island.*

None.

*Manitoba.*

*Chapter 30.* An Act to encourage the building of Railways in Manitoba. Order in Council, 3rd Nov., 1882.

*British Columbia.*

*Chapter 8.* An Act to consolidate and amend the Gold and other Minerals, excepting Coal. Order in Council, 12th May, 1883.

*Chapter 7.* An Act to incorporate the New Westminster Southern Railway Company. Order in Council, 17th Oct., 1883.



## PROVINCIAL LEGISLATION.

(45th Victoria, 1882.)

## LIST OF PROVINCIAL ACTS COMMENTED UPON, BUT NOT DISALLOWED.

*Ontario.*

<i>Chapter 10.</i> An Act for the removal of certain defects in the law of evidence.	Order in Council 6th March, 1883.
<i>Chapter 12.</i> An Act respecting the restitution of stolen goods.	do
<i>Chapter 17.</i> An Act to confer additional powers upon joint stock companies.	do
<i>Chapter 23.</i> An Act to amend the Municipal Act.	do
<i>Chapter 39.</i> An Act to consolidate the Debenture Debt of the Town of Owen Sound.	do
<i>Chapter 41.</i> An Act to enable the Corporation of the Town of Port Hope to incur liability for the construction and extension of Water Works, and for other purposes.	do
<i>Chapter 48.</i> An Act to consolidate the General Debenture Debt of the Village of Yorkville.	Order in Council, 6th March, 1883.
<i>Chapter 50.</i> An Act to incorporate the Galt Junction Railway Company.	do
<i>Chapter 52.</i> An Act to incorporate the London Junction Railway Company.	do
<i>Chapter 53.</i> An Act respecting the Debenture Debt of the London and Port Stanley Railway Company.	do
<i>Chapter 57.</i> An Act to incorporate the Mississippi Valley Railway Company.	do
<i>Chapter 58.</i> An Act to incorporate the Northern and North-Western Junction Railway Company.	do
<i>Chapter 60.</i> An Act to incorporate the Prescott and Glengarry County Junction Railway Company.	do
<i>Chapter 67.</i> An Act to consolidate the Toronto and Nipissing Railway Company, the Whitby, Port Perry and Lindsay Railway Company, the Victoria Railway Company, the Toronto and Ottawa Railway Company, the Grand Junction Railway Company, and the Midland Railway of Canada.	do
<i>Chapter 69.</i> An Act to incorporate the Western Counties Railway Company.	do
<i>Chapter 74.</i> An Act to authorize the Gananoque Water Power Company to issue debentures.	do
<i>Chapter 87.</i> An Act respecting St. Paul's Church in the Town of Woodstock.	do

*Quebec.*

<i>Chapter 4.</i> An Act to facilitate the intervention of the Crown in civil cases in which the constitutionality of Federal or Provincial Acts is in question.	Order in Council, 7th June, 1883.
<i>Chapter 9.</i> An Act to amend the Quebec License Law of 1878 (41st Vic., chap. 3).	do
<i>Chapter 22.</i> An Act to impose certain Direct Taxes on certain Commercial Corporations.	do
<i>Chapter 35.</i> An Act to further amend the Municipal Code of the Province of Quebec.	do
<i>Chapter 103.</i> An Act to incorporate the town of Richmond.	

*Nova Scotia.*

<i>Chapter. 20.</i> An Act for the consolidation of the Nova Scotia Railways.	Order in Council, 26th Feb., 1883.
<i>Chapter 21.</i> An Act to amend the Nova Scotia Railway Act of 1880, and the Amendment thereof.	do
N.B.—These Acts were left to their operation by Order in Council dated 24th April, 1883.	
<i>Chapter 61.</i> An Act to incorporate the Eastern Development Company (Limited).	do
<i>Chapter 73.</i> An Act to incorporate the Pictou Oil Company.	do

*New Brunswick.*

<i>Chapter 9.</i> An Act in amendment of chapter 51, of the Consolidated Statutes of County Courts.	Order in Council, 6th March, 1883.
<i>Chapter 87.</i> An Act to revive, continue and amend the several Acts relating to the Courtenay Bay Bridge Company.	do

*Prince Edward Island.*

None.

Order in Council,  
26th Feb., 1883.*Manitoba.*

<i>Chapter 54.</i> An Act to amend 44 Victoria, chap. 29, intituled: "An Act respecting the profession of Land Surveyors in the Province of Manitoba."	Order in Council, 6th March, 1883.
<i>Chapter 16.</i> An Act to amend 44 Victoria, chap. 3, intituled: "An Act respecting Municipalities."	do
<i>Chapter 24.</i> An Act to amend 44 Victoria chap. 3, intituled: "An Act respecting Municipalities."	do
<i>Chapter 35.</i> An Act to incorporate the City of Brandon.	do
<i>Chapter 36.</i> Charter of the City of Winnipeg, Manitoba, consolidated from the Act of incorporation of the City of Winnipeg.	

*British Columbia.*

<i>Chapter 26.</i> An Act to incorporate the Fraser River Railway Company.	Recommended to be disallowed. See O. C. 17th Oct.'r, 1883, but action deferred for present by Order in Council, 19th Oct., 1883.
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## ONTARIO, 1881.

GOVERNMENT HOUSE, OTTAWA, THURSDAY, 19th day of May, 1881.

## PRESENT:

*His Excellency the Governor General in Council.*

Whereas the Lieutenant-Governor of the Province of Ontario, with the Legislative Assembly of that Province, did, on the 4th day of March, 1881, pass an Act, which has been transmitted, entitled as follows, viz.: "An Act for protecting the Public Interests in Rivers, Streams and Creeks,"

And whereas the said Act has been laid before the Governor General in Council, together with a report from the Minister of Justice, recommending that the said Act should be disallowed,



His Excellency the Governor General has thereupon this day been pleased, by and with the advice of his Privy Council, to declare his disallowance of the said Act, and the same is disallowed accordingly.

Whereof the Lieutenant-Governor of the Province of Ontario, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

JOHN J. MCGEE, *Assistant Clerk, Queen's Privy Council for Canada.*

I, Sir John Douglas Sutherland Campbell, commonly called the Marquis of Lorne, Governor General of Canada, do hereby certify that the Act passed by the Legislature of Ontario, the 4th day of March, 1881, intituled: "An Act for protecting the Public Interest in Rivers, Streams and Creeks," was received by me on the 26th day of March, A.D. 1881.

Given under my hand and seal this 19th day of May, 1881.

LORNE [L.S.]

OTTAWA, 30th January, 1882.

*To His Excellency the Governor General in Council :*

The undersigned has the honor to report, with respect to the Acts passed by the Legislature of the Province of Ontario, in the year 1881, as follows:—

Chap. 1. An Act for granting to Her Majesty certain sums of Money to defray the expenses of Civil Government for the year one thousand eight hundred and eighty-one, and for other purposes therein mentioned.

Chap. 2. An Act to amend the Act respecting the sale and management of Timber on Public Lands.

Chap. 3. An Act to amend the Ontario Drainage Act.

Chap. 4. An Act to amend the law respecting the Registration of Births, Marriages and Deaths.

The undersigned recommends that the power of disallowance be not exercised with respect to these Acts.

Chap. 5. An Act to consolidate the Superior Courts, establish a uniform system of Pleading and Practice, and make further provision for the due Administration of Justice. While recommending that the power of disallowance be not exercised with respect to this Act, the undersigned desires to point out that there are provisions in it which appear to him to be *ultra vires* of the Provincial Legislature. Among others, the following may be mentioned:—

1. The Act in effect assumes not only to constitute courts, but to appoint the judges of the courts, the appointment of whom, by the British North America Act, is vested in Your Excellency. The Act unites and consolidates together, under the name of the Supreme Court of Judicature for Ontario, the previously existing Courts of Appeal, Queen's Bench, Chancery, Common Pleas, and it divides this Supreme Court into two permanent divisions :

One to be called the Court of Appeal for Ontario, and the other the High Court of Justice for Ontario. The Act then declares in effect that the judges of the previously existing courts shall be the judges in the new courts.

As the undersigned was of opinion that the Legislature, in assuming to declare who should be judges in the courts, exceeded its legislative authority, he advises Your Excellency to issue to the respective judges the necessary commissions under the Great Seal of Canada. These commissions have been issued and the authority of the judges thereby placed beyond question.

2. Section 43 provides as follows:—

"No appeal shall lie to the Supreme Court of Canada without the special leave of such court or of the Court of Appeal, unless the title to real estate or some interest therein, or the validity of a patent is affected; or unless the matter in controversy on the appeal exceeds the sum or value of \$1,000, exclusive of costs; or unless the matter in question relates to the taking of an annual or other rent, customary or other duty or fee, or a like demand of a general or public nature affecting future rights."

The undersigned thinks the power of a Provincial Legislature to pass such an enactment is very doubtful. It is to be observed, however, that any person aggrieved thereby has an easy mode of testing the question.

3. Section 63 provides that the judges of the county courts shall be official referees for the trial of such questions as shall be directed to be tried, and section 64 provides that when there is no local master of the court at the commencement of the Act, or when a vacancy occurs in the office of local master, the judge of the county court for the county shall be the local master until and unless another person be appointed. As referees or as local masters, the county judges may receive fees.

The undersigned thinks it doubtful whether the Provincial Legislature can constitutionally in this manner appoint judges who hold office by commission from Your Excellency to other offices under the Provincial Government. The expediency of allowing county judges to act as referees and local masters is questionable, and the same may at some future time require the consideration of Parliament. Should Parliament think proper to legislate upon the subject, it is evident that the provisions last referred to of the Act now under consideration would become inoperative.

4. The Act vests in the judges of the County Courts certain jurisdiction in actions in the High Court, and section 76 provides that the judges of the several County Courts shall be judges of the High Court for the purposes of their jurisdiction in actions in the High Court, and in the exercise of such jurisdiction may be styled local judges of the High Court. The power of the Legislature to appoint the County Court judges to be local judges of the High Court, even for the limited purpose mentioned in the Act, is doubtful. Some of the County Court judges have refused to act unless appointed by commission from Your Excellency.

The undersigned has already advised Your Excellency to issue commissions to the several County Court judges, appointing them to be local judges of the High Court for the purposes of the Act. These commissions will, it is thought, remove any doubts as to their right to act.

5. Section 79 empowers the Lieutenant-Governor in Council, with the consent of any County Court or Surrogate judge, to commute the fees payable to him under the Surrogate Courts Act for a fixed annual sum, and authorizes the Lieutenant-Governor in Council, in certain events, to pay to the junior judge of the county a sum not exceeding \$666 per annum.

The British North America Act, section 96, empowers the Governor General to appoint the judges of the Superior, District, and County Courts in each Province, except those of the courts of probate in Nova Scotia and New Brunswick.

The exception made by this section indicates that the Courts of Probate in Nova Scotia and New Brunswick would come within the meaning of the words "Superior, District and County Courts" in the Province, and there seems no reason why those words should not include the Surrogate Courts of the Province of Ontario.

The 100th section of the British North America Act provides that the salaries, allowances and pensions of the judges of the Superior, District and County Courts, except the Courts of Probate in Nova Scotia and New Brunswick, shall be fixed and provided by the Parliament of Canada. The right of the Provincial Legislature to make the provision contained in the 79th section of the Act now under consideration is doubtful, but inasmuch as enactments relating to fees of the surrogate judges have been allowed to go into operation in Ontario, and have been in operation for some years, the undersigned does not think it necessary to do more than call attention to the doubt which exists as to the power of the Legislature to pass the enactments.

The undersigned recommends that the attention of the Lieutenant-Governor be called to these remarks.

Chap. 6. An Act to amend the Jurors Act of 1879.

Chap. 7. An Act respecting Interpleader.

Chap. 8. An Act to regulate the Fees of certain Officers and others.

Chap. 9. An Act to make provision for the Administration of Justice in the county of Dufferin.



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Chap. 10. An Act to amend the Registry Act.

The undersigned recommends that the power of disallowance be not exercised with respect to these Acts.

Chap. 11. An Act for protecting the Public Interest in Rivers, Streams and creeks.

This Act has already been disallowed by Order of Your Excellency in Council, dated 19th May, 1881.

Chap. 12. An Act to further amend the Revised Statutes respecting Mortgages and sales of personal property.

Chap. 13. An Act to amend the Act respecting the Registration of Co-partnerships and business firms.

Chap. 14. An Act to further provide for the release of Dower of married women in certain cases.

Chap. 15. An Act to amend the Law securing to wives and children the benefit of Assurances on the lives of their husbands and parents.

Chap. 16. An Act respecting the appointment of Guardians for infants.

Chap. 17. An Act to extend the powers of the Law Society of Upper Canada.

Chap. 18. An Act to extend the powers of Companies incorporated under the Joint Stock Companies Letters Patent Act.

Chap. 19. An Act for the incorporation by Letters Patent and the regulation of Timber Slide Companies.

Chap. 20. An Act to give increased stability to Mutual Fire Insurance companies.

Chap. 21. An Act respecting Returns required from Incorporated Companies.

Chap. 22. An Act to make provision for the safety of Railway Employés and the Public.

Chap. 23. An Act respecting Aid to certain Railways.

Chap. 24. The Municipal Amendment Act, 1881.

Chap. 25. The Assessment Amendment Act, 1881.

Chap. 26. An Act respecting Snow Fences.

The undersigned recommends that the power of disallowance be not exercised with respect to these Acts.

Chap. 27. An Act to give increased efficiency to the Laws against Illicit Selling.

The undersigned recommends that power of disallowance be not exercised with respect to this Act, but in doing so he desires to observe that some of the provisions of the Act may be held to be *ultra vires*, as an interference with the regulation of trade and commerce. Inasmuch, however, as the precise powers of the Parliament of Canada and Provincial Legislatures, respectively, over the subject matter, has not yet been defined, and as similar legislation has on previous occasions been allowed to pass into operation, the undersigned does not think it necessary to recommend any interference with the Act.

Chap. 28. An Act to prevent the spread of the Yellows among Peach, Nectarine and other Trees.

Chap. 29. An Act to amend the Act for the protection of Insectivorous and other Birds beneficial to Agriculture.

Chap. 30. An Act for further improving the School Law.

Chap. 31. An Act respecting the University and Colleges at Toronto.

Chap. 32. An Act to make further provision respecting the Central Prison, the Andrew Mercer Ontario Reformatory for Females, and the Industrial Refuge for Girls.

Chap. 33. An Act to amend the Act respecting the Inspection of Asylums, Hospitals, Common Gaols and Reformatories in this Province.

Chap. 34. An Act relating to the incorporation of the Village of Brockton.

Chap. 35. An Act to change the name of the Town of Clifton to that of Niagara Falls.

Chap. 36. An Act to legalize a certain By-law of the County of Frontenac and the sale of the Debentures issued thereunder.

Chap. 37. An Act to confirm certain Assessments of the City of Kingston.  
The undersigned recommends that the power of disallowance be not exercised with respect to these Acts.

Chap. 38. An Act to close part of a certain Road Allowance between the Township of Kingston and the Village of Portsmouth.

The Municipal Council of the Village of Portsmouth and the County Council of the County of Frontenac have petitioned for the disallowance of this Act, on the ground in effect that the road to be opened by the Ontario Government, in lieu of the road which the Act authorizes to be closed, will not be so convenient for the inhabitants of the village as the present road. Objection is also taken to the power of the Provincial Legislature to provide for the closing up of the road. The undersigned thinks that the Legislature has power to pass the enactment, and he sees no reason to recommend the exercise of the power of disallowance on the other ground mentioned in the petition. He therefore recommends that the power of disallowance be not exercised with respect to this Act.

Chap. 39. An Act respecting the debt of the County of Lennox and Addington, and to enable the said County to consolidate the same.

Chap. 40. An Act to authorize the Corporation of the City of London to sell certain lands.

Chap. 41. An Act to authorize the Village of London East to construct and maintain Water Works, and to incorporate said Village as a Town.

Chap. 42. An Act respecting the Village of Millpoint.

Chap. 43. An Act to organize the Municipality of Neebing.

Chap. 44. An Act respecting Water and Gas Works at Parkdale.

Chap. 45. An Act to change the name of the Village of Petersville to London West.

Chap. 47. An Act respecting the Debenture Debt of the County of Simcoe.

Chap. 46. An Act to incorporate the City of St. Thomas.

Chap. 48. An Act to consolidate the Debt of the Town of Windsor.

Chap. 49. An Act to transfer the Securities of the Anglo-Canadian Mortgage Company to the Omnium Securities Company (Limited).

Chap. 50. An Act respecting the Canada Mortgage Agency (Limited).

Chap. 51. An Act respecting the Credit Foncier Franco Canadian.

Chap. 52. An Act to incorporate the Federal Fire Insurance Company of Ontario.

Chap. 53. An Act respecting the Hawkeye Gold and Silver Mining Company.

Chap. 54. An Act to amend the Act incorporating Lake Seugog Marsh Lands Drainage Company.

Chap. 55. An Act respecting the Phoenix Mutual Fire Insurance Company of Ontario.

Chap. 56. An Act to change the name of the Sarnia Gas Company, to confirm a By-law of the town of Sarnia and to extend the powers of said Company.

The undersigned recommends that the power of disallowance be not exercised with respect to these Acts.

Chap. 57. An Act to amend the Acts incorporating the Toronto Gravel Road and Concrete Company.

This Act forms the subject of a separate report.

Chap. 58. An Act to amend the Charter of Incorporation of the Victoria Rolling Stock Company of Ontario.

Chap. 59. An Act respecting the Waterloo County Mutual Fire Insurance Company of Ontario.

Chap. 60. An Act to incorporate the Chatham and Charing Cross Railway Company.

Chap. 61. An Act to amend the Acts relating to the Credit Valley Railway Company.

Chap. 62. An Act to extend the time for the completion of the Erie and Huron Railway.



Chap. 63. An Act respecting the Georgian Bay and Wellington Railway Company.

Chap. 64. An Act respecting the Grand Junction Railway Company.

Chap. 65. An Act respecting the Hamilton and Dundas Street Railway Company.

Chap. 66. An Act further to amend the Acts relating to the Hamilton and North-Western Railway Company.

Chap. 67. An Act respecting the Midland Railway of Canada.

Chap. 68. An Act to incorporate the Sault Ste. Marie Railway Company.

Chap. 69. An Act amalgamating the Port Dover and Lake Huron, the Stratford and Huron, and the Georgian Bay and Wellington Railway Companies as the Grand Trunk, Georgian Bay, and Lake Erie Railway Company.

Chap. 70. An Act respecting the Port Rowan and Lake Shore Railway Company.

Chap. 71. An Act to incorporate the Port Royal and Detroit River Railway Company.

Chap. 72. An Act respecting the Prince Edward County Railway Company.

Chap. 73. An Act to incorporate the St. Catharines and Niagara Central Railway Company.

Chap. 74. An Act to amend the several Acts relating to the Toronto, Grey and Bruce Railway Company.

Chap. 75. An Act respecting the Toronto and Nipissing Eastern Extension Railway Company.

Chap. 76. An Act respecting the Toronto and Ottawa Railway Company.

Chap. 77. An Act to amend the Acts respecting the Trent Valley Railway Company.

Chap. 78. An Act to incorporate the Weston and Dufferin's Creek Railway.

Chap. 79. An Act respecting the Whitby, Port Perry and Lindsay Railway Company.

Chap. 80. An Act to amend the Act respecting the Yorkville Loop Line Railway Company.

Chap. 81. An Act to enable the Trustees of congregation of the Town of Orangeville to sell certain lands.

Chap. 82. An Act to amend the Act to incorporate Knox College.

Chap. 83. An Act to authorize the Trustees of St. Andrew's Church, Williamstown, to sell certain lands.

Chap. 84. An Act to provide for the sale of the Rectory House and lands belonging to St. John's Church, in the Township of London.

Chap. 85. An Act respecting St. Paul's Church, in the Town of Woodstock.

Chap. 86. An Act to amend the Act to incorporate the Roman Catholic Bishops of Toronto and Kingston, in Canada, in each Diocese.

Chap. 87. An Act to incorporate the Toronto Baptist College.

Chap. 88. An Act to authorize the Trustees of the Union Church at Port Colborne, to sell certain lands.

Chap. 89. An Act to vest certain lands in the Town of Woodstock in Trustees, and to authorize a sale of the same.

Chap. 90. An Act to vest in the newly appointed Trustees of the Marriage Settlement of B. C. Dixon, the property therein comprised, and to authorize the sale and leasing thereof.

Chap. 91. An Act to authorize the Law Society of Ontario to admit Francis Hugh Eccles as a Barrister-at Law.

The undersigned recommends that the power of disallowance be not exercised with respect to these Acts.

A. CAMPBELL, *Minister of Justice.*

DEPARTMENT OF JUSTICE, CANADA, OTTAWA, 2nd March, 1882.

To His Excellency the Governor General in Council :

The undersigned has the honor to report respecting an Act passed by the Legislature of Ontario in the year 1881, intituled: "An Act to amend the Acts incorporating the Toronto Gravel Road and Concrete Company."

Application for the disallowance of this Act was made by the Company and by certain property holders, who claim that their interests were prejudicially affected by the provisions of the Act.

The undersigned was attended by counsel for those petitioning for the disallowance, as well as for those opposed to the disallowance, and the various questions involved were fully argued before him.

After a full consideration of the matter, the undersigned is of opinion that the power of disallowance should not be exercised with respect to the Act, and he therefore recommends that it be left to its operation.

A. CAMPBELL, *Minister of Justice.*

COPY of a Report of a Committee of the Honorable the Privy Council, approved by His Excellency the Governor General in Council on the 3rd April, 1882.

The Committee of Council have had before them a report, dated 30th January, 1882, from the Minister of Justice, concurred in by Sir John Macdonald, with respect to the Acts passed by the Legislature of the Province of Ontario in the year 1881, the 44th year of Her Majesty's reign.

On the recommendation of the Minister of Justice the Committee advise that the power of disallowance be not exercised with respect to the said Acts, being chapter 1 to chapter 91, inclusively, save as regards chapter 11 having been disallowed, and they further advise that the attention of the Lieutenant-Governor of Ontario be directed to the observations in the report of the Minister of Justice upon several of the said Acts.

(Certified,) JOHN J. MCGEE, *Assistant Clerk Privy Council.*

COPY of a Report of a Committee of the Honorable the Privy Council, on the 6th March, 1882.

The Committee of Council have had before them a report, dated 2nd March, 1882, from the Minister of Justice, with respect to an Act passed by the Legislature of Ontario, in the year 1881, being chap. 57, 44 Victoria, intituled: "An Act to amend the Acts incorporating the Toronto Gravel Road and Concrete Company."

On the recommendation of the Minister of Justice the Committee advise that the power of disallowance be not exercised with respect to the said Act, and, therefore, that it be left to its operation.

(Certified) J. O. COTÉ, *Clerk P. C.*

GOVERNMENT HOUSE, OTTAWA, Wednesday, 20th September, 1882.

PRESENT :

The Honorable Sir William Johnston Ritchie, *Knight,*

The Deputy of the Governor General in Council :

Whereas the Lieutenant-Governor of the Province of Ontario, with the Legislative Assembly of that Province, did, on the 10th day of March, 1882, pass an Act which has been transmitted, intituled as follows, viz.: "An Act for protecting the Public Interest in Rivers, Streams and Creeks,"

And whereas the said Act has been laid before the Deputy of the Governor General in Council, together with a report from the Minister of Justice, recommending that the said Act should be disallowed,



The Honorable the Deputy of His Excellency the Governor General has thereupon this day been pleased, by and with the advice of the Queen's Privy Council for Canada, to declare his disallowance of the said Act, and the same is disallowed accordingly.

Whereof the Lieutenant-Governor of the Province of Ontario, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

JOHN J. MCGEE, *Clerk Queen's Privy Council, Canada.*

I, Sir William Johnston Ritchie, Knight, Deputy of the Governor General of Canada, do hereby certify that the Act passed by the Legislature of Ontario, the 10th day of March, 1882, intituled: "An Act for protecting the Public Interest in Rivers, Streams and Creeks," was received by His Excellency the Governor General on the 17th day of March, A.D. 1882.

Given under my hand and seal this 20th day of September, A.D. 1882.

W. J. RITCHIE, *Deputy Governor.*

QUEBEC, 1881.

(44 Victoria.)

DEPARTMENT OF JUSTICE, OTTAWA, 18th July, 1882.

*To His Excellency the Governor General in Council.*

The undersigned has the honor to report, in respect to the Acts passed by the Legislature of the Province of Quebec in the year 1881, as follows:—

Chap. 1. An Act granting to Her Majesty the Money required for the expenses of the Government for the financial years ending on the 30th June, 1881, and on the 30th June, 1882, and for other purposes connected with the Public Service.

Chap. 2. An Act respecting the Quebec, Montreal, Ottawa and Occidental Railway, and to ratify certain arrangements made in connection therewith.

Chap. 3. An Act to amend the Acts respecting Subsidies in Money to certain Railways.

Chap. 4. An Act to amend the Quebec License Law.

Chap. 5. An Act respecting the publication of certain Orders in Council, Proclamations and Departmental Regulations.

Chap. 6. An Act to amend the Act 43-44 Vic., chap. 3 intituled: "An Act respecting the Division of the Department of Agriculture and Public Works."

Chap. 7. An Act to extend the duration of the Legislative Assembly of the Province of Quebec.

Chap. 8. An Act to amend the Act of this Province, 42-43 Vic., chap. 15, intituled: "An Act to Amend the Quebec Election Act."

Chap. 9. An Act to amend Sections 54 and 75 of the Act 43-44 Vic., chap. 12.

Chap. 10. An Act to further amend the Law respecting Jurors and Juries. (32 Vic., chap. 22.)

Chap. 11. An Act to amend the Joint Stock Companies Incorporation Act. (31 Vic., chap. 25.)

Chap. 12. An Act to amend the Joint Stock Companies General Clauses Act. (31 Vic., chap. 24.)

Chap. 13. An Act to amend the Act of this Province 43-44 Vic., chap. 19, intituled: "An Act Respecting Public Officers of the Province of Quebec."

Chap. 14. An Act to amend the Act of this Province, 40 Vic., chap. 10, intituled: "An Act to establish a Superannuation and Aid Fund in favor of certain Public Employés and their Families."

Chap. 15. An Act respecting Masters and Servants.

Chap. 16. An Act to Order the Registration of Customary Dowers and Servitudes in certain cases not provided for by Law.

Chap. 17. An Act to secure the payment of Builders and Workmen.

- Chap. 18. An Act to exempt from seizure one-half of the wages of laborers.
- Chap. 19. An Act to amend the Law respecting Public Instruction.
- Chap. 20. An Act to further amend the "Town Corporations General Clauses, et," 40 Vic., chap. 29.
- Chap. 21. An Act to amend the Law concerning Official Plans and Books of reference.
- Chap. 22. An Act to amend certain Articles of the Municipal Code.
- Chap. 23. An Act to change the *chef lieu* of the Judicial District of Kamouraska.
- Chap. 24. An Act to further amend chapter 68 of the Consolidated Statutes for Lower Canada, intituled: "An Act respecting Mutual Insurance Companies."
- Chap. 25. An Act to amend the Act 42-43 Vic., chap. 39, intituled: "An Act to establish Mutual Assurance Companies."
- Chap. 26. An Act to permit Municipal Corporations to capitalize their debts.
- Chap. 27. An Act respecting the Bar of the Province of Quebec.
- Chap. 28. An Act to render valid certain Notarial Deeds.
- Chap. 29. An Act to legalize certain official acts of Charles J. Powell, Deputy-Sheriff of the District of Arthabaska.
- Chap. 30. An Act to amend chapter 75 of the Consolidated Statutes for Lower Canada.
- Chap. 31. An Act to amend chapter 18 of the Consolidated Statutes for Lower Canada, and the Act 42-43 Vic., chap. 41, with respect to the erection of certain arishes within the limits of the former Parish of Notre Dame de Montreal.
- Chap. 32. An Act to annex to the Municipality of the united Townships of toneham and Tewkesbury, a certain portion of the Parish of St. Edmond de toneham.
- Chap. 33. An Act to erect the Parish of St. Louis, situate partly in the County of Richelieu, and partly in the County of St. Hyacinthe, into a Municipality, and to annex it to the County of Richelieu.
- Chap. 34. An Act to encourage the establishment of Manufactories of Railway plant.
- Chap. 35. An Act to incorporate the Montreal and Sorel Railway Company.
- Chap. 36. An Act to amend the Act incorporating the Montreal Island Railway Company.
- Chap. 37. An Act to incorporate The Mountain Park Railway and Elevator Company.
- Chap. 38. An Act to Amend the Act of incorporation of the St. John and Sorel Railway Company.
- Chap. 39. An Act to amend an Act of this Session, intituled: "An Act to amend the Act of incorporation of the St. John and Sorel Railway Company."
- Chap. 40. An Act to amend the charter of the Quebec Central Railway Company.
- Chap. 41. An Act to amend the Act incorporating the Waterloo and Magog Railway Company.
- Chap. 42. An Act to amend the Acts relating to the incorporation of the Missisquoi and Black Rivers Valley Railway Company.
- Chap. 43. An Act to amend the Acts relating to the South-Eastern Railway Company.
- Chap. 44. An Act to incorporate the Quebec, Montmorency and Charlevoix Railway Company.
- Chap. 45. An Act respecting the Turnpike Roads between Longueuil and Chambly.
- Chap. 46. An Act respecting Laval University and for the purpose of increasing the number of its Chairs of Arts and other Faculties within the limits of the Province of Quebec.
- Chap. 47. An Act to incorporate the Congregation of Trinity Church, Quebec.
- Chap. 48. An Act to incorporate the Notre Dame Hospital at Montreal.



Chap. 49. An Act to amend an Act of this Session, intituled: "An Act to incorporate the Notre Dame Hospital at Montreal."

Chap. 50. An Act to incorporate the Protestant Hospital for the Insane.

Chap. 51. An Act to amend the Act incorporating l'Union Saint Joseph à Saint Sauveur de Québec.

Chap. 52. An Act to incorporate l'Union Saint Joseph à St. Roch de Québec.

Chap. 53. An Act to incorporate the Sisters of St. Joseph of St. Hyacinthe.

Chap. 54. An Act to incorporate the Dominique College.

Chap. 55. An Act to incorporate the Montreal Amateur Athletic Association.

Chap. 56. An Act to incorporate le Club des Marchands de Québec.

Chap. 57. An Act to incorporate the Club Saint Denis of Montreal.

Chap. 58. An Act to incorporate the Reform Club of Montreal.

Chap. 59. An Act to incorporate l'Institut Canadien-Francais de Lévis.

Chap. 60. An Act to incorporate l'Union Sucrière Franco-Canadienne.

Chap. 61. An Act to incorporate the Eastern Townships Colonization and Credit Company.

Chap. 62. An Act respecting the Mutual Fire Insurance Company of the City of Montreal, and for other purposes.

Chap. 63. An Act to incorporate the Silver Plume Mining Company.

Chap. 64. An Act to incorporate the Manufacturing and Agricultural Company of Rivière du Loup.

Chap. 65. An Act to amend the Act passed in the forty-first year of Her Majesty's reign, chapter fifty-four, intituled: "An Act to incorporate the Oxford Nickel and Copper Company."

Chap. 66. An Act to incorporate the Montreal Fibre Company.

Chap. 67. An Act to incorporate the Montreal Distilling Company.

Chap. 68. An Act to incorporate the Montreal Board of Real Estate Agents.

Chap. 69. An Act to incorporate the Canadian Electric Light Company.

Chap. 70. An Act to incorporate the Montreal Electric Light Company.

Chap. 71. An Act to incorporate the Quebec and Levis Electric Light Company.

Chap. 72. An Act to incorporate the Quebec and Levis Telephone Company.

Chap. 73. An Act to amend the Charter of the City of Montreal.

Chap. 74. An Act to amend the Charter of the Town of St. Johns. (43-44 Vic., chap. 62.)

Chap. 75. An Act to amend and consolidate the Act of incorporation of the Town of Longueuil, 37 Vic., chap. 49, and the Act amending the same, 39 Vic., chap. 46.

Chap. 76. An Act to confer certain powers on the Bell Telephone Company of Canada.

Chap. 77. An Act to enable the Montreal Warehousing Company to issue Preferential Stock.

Chap. 78. An Act to correct a clerical error in the Official Plan and Book of Reference of the Parish of Ste. Rose.

Chap. 79. An Act to authorize the Cadastre of Lot No. 18, of St. Lawrence Ward, in the City of Montreal, to be prepared.

Chap. 80. An Act to declare binding certain steps taken by the School Commissioners of the Parish of St. Lin for the establishment of a Girls' Model School or Academy.

Chap. 81. An Act to confirm the rights of ownership of Jean Olivier Chevretils in the Lots Numbers 104, 105 and 110 of the Cadastre of the Parish of Ste. Anne du Bout de l'Île, in the County of Jacques Cartier.

Chap. 82. An Act to facilitate the payment of the Debt contracted and of the Expenses to be incurred in building the Catholic Church of the Parish of St. Jean Baptiste de Montreal, and to amend the Act 43-44, Vic., Chap. 37.

Chap. 83. An Act to authorize the Fabrique of the Parish of Notre Dame de Montreal to issue Debentures to a definite amount.

Chap. 84. An Act to authorize the Trustees for the Parish of St. Gabriel de Stratford to make a new Act of Assessment.

Chap. 85. An Act to order the re-opening of a By-road in the Parish of St. George de Courville, in the County of Iberville.

Chap. 86. An Act to authorize the sale of certain Properties substituted under the Will of the late George Burns Symes.

Chap. 87. An Act to authorize the exchange and sale of certain Real Estates and immovables, subject to substitution by Donation Deeds from Duke Roberts to Edward J. Roberts, Silas Stewart Roberts, and their children.

Chap. 88. An Act to confirm the Letters Patent issued in favor of the Montreal Abattoir Company, and remove all doubts with respect to the powers of the said Company.

Chap. 89. An Act to authorize François Gosselin, of the Parish of Ste. Claire, to exact certain Tolls on a Bridge which he has built across the Chaudière River, between the Parishes of Ste. Marie, County of Beauce, and Ste. Bernard, County of Doncaster, and for other purposes.

Chap. 90. An Act to authorize David Roy, of the Parish of St. George, in the County of Beauce, to construct a Toll Bridge over the River Chaudière.

Chap. 91. An Act to amend the Act 16 Vic., chap. 65, intituled: "An Act to authorize François Daigle and Alexis Dufresne to demand Tolls upon a Bridge which they have constructed on the Northern Branch of the River Yamaska."

Chap. 92. An Act to authorize the Bar of the Province of Quebec to admit Joseph Eugène Lepine among its members.

Chap. 93. An Act to authorize the Bar of the Province of Quebec to admit Marie Joseph Edmond Chagnon to the profession of Attorney and Advocate.

The undersigned recommends that the power of disallowance be not exercised with respect to these Acts.

A. CAMPBELL, *Minister of Justice.*

*CERTIFIED COPY of a Report of a Committee of the Honorable the Privy Council, approved by His Excellency the Governor General in Council on the 22nd July, 1882.*

On a report dated 11th July, 1882, from the Minister of Justice, recommending, with respect to the Acts passed by the Legislature of the Province of Quebec in the year 1881, being chapters 1 to 93, inclusive, that the power of disallowance be not exercised with regard to any of the said Acts, but as regards chapters 46, 69 and 72, the Minister has deemed it expedient to make a separate report.

The Committee submit the above recommendation for Your Excellency's approval.

JOHN J. MCGEE.

To the Honorable the Minister of Justice.

*To His Excellency the Right Honorable the Marquis of Lorne, K. T., C. T. M., G. P. C., Governor General of the Dominion of Canada, in Council assembled.*

The humble petition of the Montreal School of Medicine and Surgery, a body politic, duly incorporated by the Legislature of the late Province of Canada, having its seat in the city of Montreal—

Respectfully sheweth :

1. Your petitioners have been duly incorporated in 1845, by the Legislature of the late Province of Canada (8 Vic., chap. 81), for the purpose of giving public lectures and instruction in the various branches of the sciences of medicine and surgery ; and they have, ever since 1845, kept such a public medical school in Montreal. Said medical school has under its medical control the large hospital of l'Hotel Dieu, the lying-in-hospital of the Sisters of Mercy, and various other public establishments and dispensaries. It has instructed over 700 physicians, who have been duly licensed, and who practise or have practised medicine in the different Provinces of Canada, and in the United States.

Your petitioners possess a large building, with a library and anatomical museum, and their lectures are followed every year by 120 to 150 students.



The said school has been affiliated, since 1869, to the Victoria University of Cobourg. Their pupils receive their degrees.

Their diplomas have always entitled the bearer thereof to a license from the General Board of Physicians of the Province of Quebec to practise medicine in the said Province.

(2.) The Laval University has been created by a Royal charter of Her Majesty Queen Victoria, dated 8th December, 16 Victoria (1852), which authorized Le Séminaire de Québec, to wit: A classical seminary, established and existing in the city of Quebec, for the education and instruction of youth, to confer degrees and grant to said corporations all the other privileges usually granted to and enjoyed by universities, in addition to the powers and privileges hitherto possessed and enjoyed by said seminary. It also enacts that in each and every act or deed done and performed under and by virtue of said charter, the said *Séminaire de Québec* shall be named, called and known as the *Université Laval* (Laval University).

The said Royal charter further ordains, declares and grants that the rector (to wit, the superior of said seminary) and the professors of said university, and all persons who shall be duly matriculated into and admitted as members of said university, and their successors for ever, shall be one distinct and separate body politic, in deed and in name, by the name and style of "The Rector and Members of l'*Université Laval* (Laval University), at Quebec, in the Province of Canada;" and further, that the council of said university shall consist and be composed of the rector, of the Directors of said *Séminaire de Québec*, and of the three senior professors of the several faculties, divinity, law, medicine and arts, in said University; that said *Université Laval* shall have, possess and enjoy all such and the like privileges as were then enjoyed by the universities of the United Kingdom of Great Britain and Ireland, so far as the same are capable of being had, possessed or enjoyed under and by virtue of said Royal charter; and further, that the University Council, as constituted by said Royal charter, shall, for the purposes of said Royal charter, have, possess and enjoy the right and power to affiliate to and connect with said university any one or more college or colleges, seminary or seminaries, public institution or institutions of education, within the said Province of Canada, as to the said council may seem fit.

(3.) The said *Séminaire de Québec* has existed over two hundred years in the city of Quebec as a classical college and a seminary for Roman Catholic students in theology; and since its erection into a university, under the name of *Université Laval*, as aforesaid up to the present time, it has also confined its sphere of action as a teaching institution, and as a university to the city of Quebec, where said seminary and said university are located by their charters, and where all their buildings are erected and situated.

(4.) In the year 1878 the said *Université Laval* opened in the city of Montreal a branch of their faculties of medicine and of law, under the name of *Université Laval à Montreal*, not distinct faculties from those existing and teaching in the city of Quebec and affiliated to Laval University, but divisions of the same faculties which exist in the city of Quebec, the professors of which are appointed by the University Council, and may themselves become members of said University Council by order of seniority as those of the same faculties teaching in Quebec.

(5.) The said branch of the faculties of law and medicine being so established in the city of Montreal, the rector of said *Université Laval* and the secretaries of said branch faculties did, every year since 1879, up to the present time, advertise the opening of courses of lectures in law and medicine to be given in the city of Montreal by Laval University, and said Laval University did, in fact, every year since 1879, give lectures in and teach law and medicine in the city of Montreal to a large number of students, and did deliver certificates and diplomas and confer university titles and degrees to the students following the lectures so given by it in the said city of Montreal, although it had no power to do so by law, or its charter, thereby assuming and exercising powers, franchises and privileges in excess and in direct violation of law and of its charter.

(6.) The avowed purpose of this illegal teaching in the city of Montreal by the said Université Laval, was to destroy and supplant your petitioners as a teaching school in Montreal, and to prevent your petitioners and the French population of the Montreal district from obtaining a charter for an independent university in Montreal, where your petitioners are the only French medical school, and where there is no French teaching of the law, although three-fourths, nearly, of the French law students, are residing in the city of Montreal.

(7.) Your petitioners suffering from the intrigues of Laval University to supplant them in Montreal, of the unfair competition which they met from it as a teaching school, and of the disloyal opposition of Laval University to the efforts of your petitioners, and of the almost unanimity of the French population of the Montreal section of the Province to obtain a French university in Montreal, did, on the 29th September, 1879, apply to Her Majesty's Secretary of State for the Colonies, for an authoritative interpretation of the said charter in reference to the legality of said French faculties.

(8.) On the 3rd day of October, 1879, the Under Secretary of State for the Colonies replied by direction of the Secretary of State, that such a question was a matter of law, upon which the Secretary of State would decline to express an authoritative opinion under any circumstances.

(9.) Your petitioners, who already had had the opinion of eminent advocates of this Province, adverse to such legality, then obtained the legal opinion of Sir Farrar Ferschell, Solicitor-General, dated 20th July, 1880, in which he holds that the Laval University at Quebec is not entitled under its charter to establish itself elsewhere than in Quebec, or to establish faculties of theology, law, medicine and arts to exist at the same time at Quebec and Montreal; he thinks that the charter by which it is incorporated establishes it at Quebec, and it acts in excess of the powers and privileges conferred upon it by the said charter when it establishes itself elsewhere, and that the Laval University, when exceeding the powers conferred upon it by its charter, would fall within the scope of article 997 of the Code of Civil Procedure of Lower Canada. Various considerations point to these conclusions, which are given at length in said opinion.

(10.) Thereupon your petitioners did, on the 4th October, 1880, protest, by their notary, the Laval University to cease teaching law and medicine in Montreal, and to abolish their said branch faculties in the last named city, as otherwise proceedings at law would be instituted against it on that account.

(11.) Alarmed at these threats of legal proceedings against it, and at the said opinion of so high an authority on the interpretation of a Royal charter, the Laval University did, on the 4th November, 1880, petition Her Majesty, through His Lordship the Roman Catholic Archbishop of Quebec, by law the visitor of said university, and the bishops of the said Province, to be pleased to add to the powers already defined in the Royal charter of 1852 such clause as Her Majesty might think fit, to dispel all doubts raised as to the legality of said branch faculties in Montreal.

(12.) In a letter from the Under Secretary of State for the Colonies, written by order of the Earl of Kimberley, dated 20th January, 1881, and addressed to Messrs. Bircham & Co., petitioners' agents in London, after stating that His Lordship had received from the Governor General of Canada said petition to the Queen by the Roman Catholic Archbishop and bishops of the Province of Quebec, with regard to the powers of the university, and also a draft of a proposed new charter for that institution; and, further, a letter from the officers of the School of Medicine and Surgery at Montreal, to the effect that they had, by their notary, summoned the Laval University to cease giving university instruction at Montreal, and to abolish the branch course and the professorships which it has therein established, and have warned the university that in default of its not conforming itself to the summonses within thirty days from the 4th October last; they would appeal to competent tribunals to obtain justice; the Under Secretary adds that the Secretary of State has informed the Governor General of Canada that it does not appear to him necessary to decide the question at present as he does not think it right to invite Her Majesty to interpose



while the question as to the powers of Laval University is about to be decided in a court of law.

The meaning of these last words is made clearer by a communication from T. Bircham, Esq., petitioners' agent in London, to Dr. D. D'Orsonnens, president of the said Montreal School of Medicine and Surgery, dated 2nd May, 1881, in which he communicated to the said president an information which he had just received from the colonial office, to the effect that the Secretary of State, before tendering any advice to Her Majesty on the subject, proposes to await the result of the legal proceedings which, he was informed, have been instituted in the provincial courts of Quebec, on the question in dispute between the School of Medicine and the Laval University. Under such circumstances Lord Kimberley considered that at that stage no advantage would be gained by complying with Mr. Bircham's request for a copy of the new charter.

(13.) After a second notarial protest made on the 23rd March last past (1881), your petitioners did, in the beginning of April last past (1881), petition the Honorable the Attorney-General of the Province of Quebec for leave to use his name in proceedings, in the nature of a prohibition, to be instituted against the said Université Laval, on account of the said illegal teaching in the said city of Montreal, as provided by article 997 of the Code of Civil Procedure of Lower Canada, and its amendments.

After hearing your petitioners and L'Université Laval, by their counsel, the Attorney-General granted the prayer of said petition on certain conditions of security for costs, which have been complied with.

(14.) On the 14th day of April last past a petition was presented to a judge of the Superior Court, sitting in chambers in Montreal, under articles 997 and 998 of said code of procedure, in the name of the Honorable L. Onésime Loranger, Attorney-General for the Province of Quebec, *pro* Regina, praying for the issuing of a writ of summons to order L'Université Laval to appear and answer said petition and show under what authority it has established said branch faculties of law and medicine in the city of Montreal, given lectures therein and conferred certificates, diplomas and university degrees and titles to the students of said branch faculties, and on default of cause being shown to the satisfaction of the court or a judge thereof, that it be declared by said court or judge that by reason of the facts above set forth L'Université Laval (Laval University) at Quebec, in the Province of Canada, have illegally and unlawfully assumed and exercised powers, privileges and franchises unauthorized by law and by their said charter, that an order do issue to the defendants to abolish said branch faculties and to discontinue said teaching in Montreal, and to cease issuing diplomas, certificates, and conferring university degrees and titles to the students in the said branch faculties.

(15.) The said petition and writ were duly returned into court on the day fixed for that purpose; the defendants have appeared and filed a preliminary plea by way of declinatory exception, by which it is alleged that the defendants being located and having their principal establishment and seat in the city of Quebec, they could not be impleaded in the district of Montreal, but in the district of Quebec only.

This preliminary plea has not been disposed of as yet, on account of the steps which were immediately taken by the authorities of the Laval University to obtain from the Quebec Legislature the Bill hereafter mentioned, by which it was expected to enlarge the powers conferred on it by its Royal charter, and to legalize said branch faculties so questioned in courts of law.

(16.) Notices were then immediately given on behalf of said university, in the Quebec *Official Gazette* and in two newspapers, one French and one English, published in the city of Quebec, but nowhere else, that there would be presented to the Legislature of the Province of Quebec, at its next Session, a Bill concerning the Laval University, and the multiplication of its chairs of instruction in the arts and other faculties.

(17.) It was on such notices that the Bill No. 15, intitled: "An Act respecting Laval University and for the purpose of increasing the number of its chairs of art

and other faculties within the limits of the Province of Quebec," was presented, which, in its original form, reads as follows:—

"Whereas certain persons have raised doubts with reference to the right of Laval University to give a university course elsewhere than in Quebec; and whereas it is expedient to remove such doubts:

"Therefore Her Majesty, by and with the advice and consent of the Legislature of the Province of Quebec, enacts as follows:—

"(1.) Laval University is empowered to increase the number of its Chairs of Arts and other faculties, within the limits of the Province of Quebec.

"(2.) The present Act shall come into force on the day of its sanction."

(18.) Your petitioners, and an immense number of citizens, opposed said Bill before both Houses of the Legislature, and over 340 petitions of clergymen and laymen of all classes, mostly from that section of the Province of Quebec included south of the diocese of Quebec, were presented to both Houses of Parliament, and to His Honor the Lieutenant-Governor of the said Province, while only four petitions were presented in its favor, which were chiefly from persons connected with said university.

(19.) But said Bill was adopted by both Houses of Parliament, with amendments that made it yet more objectionable than in its original form, to wit: by providing in a new section (2) that said Bill would not apply to pending cases as to damages and costs only. It received the assent of the Lieutenant-Governor under the above title.

(20.) It passed through both Houses in direct violation of their rules, namely:—  
(a.) No notice of said Bill was given in the district of Montreal, which, in fact, is the one mostly affected by it.

(b.) The Bill goes further than the notices, in this, that it includes the words "within the limits of the Province of Quebec," which words change the nature and extent of the Bill altogether.

(c.) It was presented, and passed the first and second reading in the Legislative Council, without any petition having ever been presented in support of it.

(d.) It was never reported by the Committee of the Standing Orders of said Council, that the notices had or had not been given.

(e.) The rules of the Legislative Council were never suspended, so as to dispense with the notices or the report of the Standing Orders Committee about the notices.

(f.) The three readings of said Bill in the Legislative Council were altogether irregular, and only passed after a formal protest was regularly entered into the journals of the Council against the violation by the majority of the Council, of the rules made for the protection of the minority thereof and of private rights.

(21.) The total disregard of these safeguards of public and private interests, and the passing of said Bill, were only had through a considerable pressure unduly exercised upon the consciences of the Catholic members of both Houses of Parliament, namely, by private and public letters of His Lordship the Roman Catholic Archbishop of Quebec, and some of the bishops of said Province, who invoked the authority and the name of the Catholic dignitaries at Rome in favor of the said Bill, whilst your petitioners have reason to believe that said dignitaries had carefully refrained to interfere in a question then and yet pending before the courts, and out of respect to Her Majesty, who, by Her Ministers, has peremptorily declined to entertain, pending said litigation, the demand of new powers which the Local Legislature of Quebec had presumed to grant to Laval University in excess of her Royal charter.

(22.) Your petitioners most respectfully beg leave to submit to Your Excellency the following documents annexed to this petition as forming part thereof.

(a.) A printed copy of "*Constitutions et règlements de l'Université Laval*, 4<sup>e</sup> Edition, 1879," containing the text of the said Royal charter, of a Bull of His Highness Pope Pius IX., granting the canonical erection of Laval as a Catholic University, and the rules and regulations of said University.



(b.) A printed pamphlet intituled: "*Questions sur la succursale de l'Université Laval*, 1881," containing a pamphlet in favor of the Bill, divers letters from Rome authorities, from the Archbishop of Quebec, the Archbishop of Marianopolis, &c., &c. Petitions to the Queen and to Quebec Legislature by the Archbishop of Quebec and a number of bishops, in reference to said question of the branch faculties in Montreal.

(c.) Printed return to an address of the Senate of Canada for copies of correspondences, petitions, &c., relating to the Laval University of Quebec, 1881, containing, among other documents, the letters of the Hon. J. Bramton, Under-Secretary of State for the Colonies above referred to.

(d.) A pamphlet printed by order of the Quebec Legislature containing the proceedings of the Private Bills Committee on said Bill No. 15, and the documents filed before it, 1881.

(e.) A printed copy of said Bill No. 15 as originally presented.

(f.) A French printed copy of the Bill No. 15, as amended and finally adopted.

(g.) A printed pamphlet issued by your petitioners, and containing information about, and the rules and regulations of the Montreal School of Medicine and Surgery, 1880.

(h.) Copy of the opinion of Mr. F. Herschell.

(i.) Copy of a notarial protest by your petitioners to Laval University, dated 4th October, 1880.

(j.) Copy of a second notarial protest dated March 23rd, 1881.

(k.) A series of the Votes and Proceedings of the Legislative Assembly of Quebec, 1881, mentioning petitions for and against said Bill No. 15; those of the 8th and 13th June, 1881, containing the proceedings of the House on said Bill No. 15.

(l.) A series of the Votes and Proceedings of the Legislative Council, mentioning petitions against and for said Bill No. 15; that of the 15th June, showing further that said Bill was brought with a message from the Legislative Assembly, and that said Bill was read on that day for the first time, and the second reading was ordered for Friday the 17th June; that of the 17th June showing that said Bill was read for the second time on that day and referred to the Private Bills Committee; that the petition by "the Rector and members of the Laval University," in support of said Bill, was only presented on that day; that of the 21st June containing a report of the Standing Orders and Private Bills Committee on said last petition, recommending that said petition be reported, notwithstanding that it was not presented within the time limited for the reception of petitions for Private Bills, which report was adopted on a division, and further containing a report from said committee, that it reported said Bill without amendment. That of the 22nd June, containing the proceedings of the Legislative Council on the said last report, the third reading of the Bill No. 15, and a protest from Hon. J. L. Beaudry, a member of that body.

(m.) A printed copy of your petitioners' petition and demand of prohibition against said Laval University, in the Superior Court, sitting at Montreal, together with the Hon. L. Loranger's fiat and Judge Rainville's order.

(n.) Copy of the preliminary plea of Laval University to said petition and your petitioners' answer thereto, and certificate.

(o.) A letter from S. Bircham to Dr. D. D'Orsennens, dated 2nd May, 1881.

(p.) A list of petitions against said Bill No. 15.

Your petitioners most respectfully and humbly submit:—

*Firstly.* That the said Act is *ultra vires* of the Quebec Legislature and unconstitutional, inasmuch it purports to extend the powers, privileges and franchises granted to Laval University by said Royal charter in a matter which relates to the Royal prerogative of conferring honorary degrees and titles, namely, in assuming to extend the teaching power of Laval University to every city and town in the Province of Quebec, whilst Her Majesty only intended to confer, and only did confer the powers, franchises and privileges of a university to a seminary located and teaching in the city of Quebec, and to "Laval University at Quebec, in the Province of Canada."

*Secondly.* That the passing of said Act by the Quebec Legislature, for the purpose of settling a pending law suit, by legislation, is immoral and destructive of the respect due to the law courts and to the Legislature of the country.

*Thirdly.* That the passing of said Act by the Quebec Legislature for the purpose of granting to Laval University the power of teaching elsewhere than in the city of Quebec, to which place it is restricted by its Royal charter, while a demand of the same nature has been made by the said Laval University directly to, and is yet pending before Her Majesty, who has only declined to interpose and entertain said demand so long as the question of the powers of said university are submitted to the decision of the courts of law, but graciously keeping said demand in abeyance for future consideration after a final adjudication by the courts upon said question, is most disrespectful to Her Most Gracious Majesty and to her Government, and tends to discredit and abuse the dignity of her Royal power and authority.

*Fourthly.* That your petitioners have been unfairly treated by said Laval University, who, in its desire to supplant and destroy the Medical School kept by them in Montreal since 1845, has made to it a most unfair competition, and caused a most disloyal war against it in every way and form.

*Fifthly.* That the Quebec Legislature has disregarded all principles of justice in passing said Bill, and violated all its rules and regulations to such an extent, that unless such course of proceedings be checked at once, there will be no protection either to provide rights or to public interest.

*Sixthly.* That the object of the said Bill is to create a monopoly of high classical and university teaching in the Province of Quebec for the French Catholic population, thereby preventing all emulation both among professors and students, to the great detriment of progress, of sciences, and giving to a single corporation such a powerful and omnipotent influence over the educated portion of the population of this Province, as to be detrimental to the well being of said Province.

*Seventhly.* That the French Catholic population of that section of the Province extending south of the archdiocese of Quebec, to wit: of three-fourths at least of the whole Province, including the rural clergy, is opposed almost unanimously to the granting of such extended powers to Laval University, as evidenced by the 340 petitions, and one presented to the three branches of the Quebec Legislature against the passing of said Bill.

*Eighthly.* That the legislation embodied in the said Act is contrary to sound principles of legislation, inasmuch as it is declaratory of the powers contained in the said Royal Charter, while the question of such powers is *sub judice*, and it declares to have been the law that which was not the law, and legislates *ex post facto*, is retro-active, affects pending cases and interferes with private rights; and inasmuch as said Local Legislature has, without any demand, assumed to interfere with private parties engaged in litigation, and to disregard the well being and wishes of all the population to be affected by such legislation in order to satisfy the ambition of an already over-powerful corporation.

Your petitioners most respectfully and humbly submit—

That an order should be made by Your Excellency for the disallowance of the said Act.

And your petitioners will ever pray.

MONTREAL, 8th August, 1881.

(Signed) THS. E. d'ODET d'ORSONNENS, M.D., C.M., LL.D., *President.*

[L.S.] (Signed) J. EMERY CODERRE, *Secretary.*

DEPARTMENT OF JUSTICE, OTTAWA, 18th July, 1882.

To His Excellency the Governor General in Council.

The undersigned has the honor to make the following additional report upon the Acts passed by the Legislature of Quebec in the year 1881.



Chap. 46. An Act respecting Laval University and for the purpose of increasing the number of its chairs of arts and other faculties within the limits of the Province of Quebec.

The Montreal School of Medicine and Surgery have, by their petition to Your Excellency, prayed that this Act be disallowed, and have stated a number of grounds in support of their petition. The undersigned is of opinion that the Act is within the powers expressly conferred upon the Legislature by "the British North America Act," and therefore recommends that it be not disallowed.

Chap. 69. An Act to incorporate the Canadian Electric Light Company.

By Section 20 of this Act *inter alia* a penalty is imposed on "anyone who wilfully or maliciously breaks up, pulls down or damages, injures, puts out of order or destroys any wire, injure pipe or plug used for an electric circuit, or any instrument, meter, lamp post, abutment, pier, or the materials connected therewith, or any other works or apparatus, appurtenances or dependencies thereof, or any matter or thing made and provided for the purposes aforesaid, or any of the materials used and provided for the same or ordered to be erected, laid down or belonging to the company.

By 32 and 33 Vic., chap. 22, sects. 59 and 60 (Acts of Parliament of Canada), the offence created by the part of the section recited is a misdemeanor if the damage exceed \$20 or an offence punishable by fine, and in case the fine is not paid, by imprisonment.

Chap. 72. An Act to incorporate the Quebec and Levis Telephone Company.

The same conflict of law is created by the 9th section of this Act.

The undersigned recommends that the attention of the Lieutenant-Governor of Quebec be called to these sections, with a view to their amendment, at the next Session of the Quebec Legislature.

A. CAMPBELL, Minister of Justice.

(Confidential.)

**MEMORANDUM** in regard to "An Act respecting Laval University, and for the purpose of increasing the number of its Chairs of Arts and other Faculties within the limits of the Province of Quebec," passed by the Legislature of the Province of Quebec in the year 1881, stating reasons for recommending that the Act be not disallowed.

The Montreal School of Medicine and Surgery have petitioned His Excellency, and prayed that this Act be disallowed. The grounds put forward are, briefly:

1st. That it is *ultra vires*, as extending the Royal charter by which Laval University is incorporated.

2nd. That it is passed while the powers of Laval University are under consideration in the courts, and for the purpose of settling an existing suit. That the legislation is therefore improper, and tends to destroy public respect for the courts.

3rd. That it was passed without due compliance with the rules of the Legislature of Quebec, and in violation of those rules.

4th. That the legislation is *ex post facto*.

5th. That there were only four petitions before the Legislature in favor of it, and a large number against it, showing that the French Catholics are opposed to the Act.

6th. That Laval University has for years warred against the Montreal School of Medicine and Surgery, and that if the Act is not disallowed the competition of the former will not only be unfair but fatal to the latter. That at the time it was passed the Montreal School of Medicine and Surgery had an application before Her Majesty for a charter giving similar powers.

As to the first ground, the undersigned is of opinion that the Act is within the powers expressly conferred upon the Legislature by "The British North America Act," and is not *ultra vires*, even if it does extend the powers conferred upon Laval University by the Royal charter.

As to the second ground, the undersigned is of opinion that it does not in this case afford a sufficient reason for recommending the disallowance of the Act, and in

In this connection would observe that although the Act may extend the powers of the Laval University, it takes away none of the rights or powers of the Montreal School of Medicine and Surgery, or of any other person or body politic. It differs materially from the case of an Act affecting an ordinary suit, or matters of dispute between individuals, where what is taken from one litigant is given to the other.

As to the third ground, the undersigned is of opinion that as the Act comes properly certified, it must be assumed that it was properly enacted—the Legislature must judge for itself as to what is a sufficient compliance with the rules which it has ordained for the orderly conduct of its business.

As to the fourth objection, the undersigned would observe that it is by no means clear that the Act is retroactive in its effect, and whether it is or not, he is of opinion that this of itself does not afford sufficient reason for its disallowance.

There is nothing in the fifth, sixth or seventh grounds to justify the disallowance of this Act.

The objections were proper matters for the consideration of the Legislature, but cannot, in the opinion of the undersigned, be taken into account in this case, in deciding the question as to whether the Act should be disallowed or not.

A. CAMPBELL, *Minister of Justice.*

**CERTIFIED COPY of a Report of a Committee of the Honorable the Privy Council, approved by His Excellency the Governor General in Council on the 24th July, 1882.**

On a report dated 18th July, 1882, from the Minister of Justice, stating that with respect to chapters 46, 69 and 72 of the Acts passed by the Legislature of Quebec in the year 1881, he has deemed it expedient to make an additional report.

That as regards chapter 46, the Minister observes that the Montreal School of Medicine and Surgery have, by their petition to Your Excellency, prayed that this Act be disallowed, and have stated a number of grounds in support of their petition. He, the Minister, is of opinion that the Act is within the powers expressly conferred upon the Legislature by "The British North America Act," and therefore recommends that it should be not disallowed.

That as regards chapter 69, the Minister observes that by section 20 of this Act, *inter alia*, a penalty is imposed on anyone who "wilfully or maliciously breaks up, pulls down, or damages, injures, or puts out of order, or destroys any wire, engine, pipe or plug used for an electric circuit, or any instrument, meter, lamp, post, abutment, pier or the materials connected therewith, or any other works or apparatus, appurtenances or dependencies thereof, or any matter or thing made and provided for the purposes aforesaid, or any of the materials used and provided for the same, or ordered to be erected, laid down or belonging to the company." By 32 and 33 Vic., chap. 22, secs. 59 and 60 (Acts of Parliament of Canada), the offence created by the part of the section recited, is a misdemeanor, if the damage exceeds \$20, or an offence punishable by fine; and, in case the fine is not paid, by imprisonment.

And as regards chapter 72, the same conflict of law is created by the 9th section of this Act.

The committee concur in the foregoing report of the Minister of Justice, and they recommend that the attention of the Lieutenant-Governor of Quebec be called to these sections, with a view to their amendment at the next Session of the Quebec Legislature.

JOHN J. MCGEE.

Hon. the Minister of Justice.

DEPARTMENT OF JUSTICE, OTTAWA, 30th January, 1882.

*To His Excellency the Governor General in Council.*

The undersigned has the honor to report, with respect to the Acts passed by the Legislature of the Province of Nova Scotia, in the year 1881, as follows:—

Chap. 1. An Act to further amend the County Incorporation Act of 1879.



Chap. 2. An Act to amend the County Court Consolidation Act.

Chap. 3. An Act to further amend chapter 2 of the Acts of 1880, relating to County Courts.

Chap. 4. An Act to amend chapter 9 of the Revised Statutes, 4th Series, "Of Mines and Minerals."

Chap. 5. An Act to amend chapter 20, Revised Statutes, "Of the Regulation of Mines."

Chap. 6. An Act to further amend chapter 28 of the Revised Statutes, "Of Practitioners in Medicine and Surgery."

Chap. 7. An Act to further amend chapter 32 of the Revised Statutes, "Of Public Instruction," and the Acts in amendment thereof.

Chap. 8. An Act to amend chapter 37 of the Revised Statutes, "Of the Encouragement of Agriculture."

Chap. 9. An Act to amend chapter 81 of the Revised Statutes, "Of Wills of Real and Personal Estate."

Chap. 10. An Act to further amend chapter 90, Revised Statutes, "Of the Probate Court and procedure therein."

The undersigned recommends that the power of disallowance be not exercised with respect to these Acts.

Chap. 11. An Act in reference to Crown Lands and Crown Land Surveyors.

Section 3 of this Act is as follows:—

"Whenever proceedings shall be taken for the escheat of any lands, such lands shall, from the date of the fying of the inquest of office, be deemed and held to be vested in the Crown, for all purposes connected with the forfeiture of such lands from trespasses, and for the punishment of any persons trespassing thereon, and for the reclamation of any timber or other property therefrom, and all proceedings relating to any of the matters in this land referred to shall and may be taken in the name of Her Majesty the Queen."

As the judgment of the Supreme Court of Canada, in the case of the Attorney General of Ontario vs. O'Reilly, connected with the escheat of the Mercer escheat, decides that the Dominion and not the Province is entitled to lands which escheat, and as that judgment, unless reversed by a higher tribunal, must be taken as declaring the law on the subject, the undersigned recommends that the Lieutenant Governor of Nova Scotia be informed that unless the 3rd section of the Act now under consideration be repealed during the present Session of the Nova Scotia Legislature, the same will be disallowed.

Chap. 12. An Act for the Prevention of Trespasses.

Chap. 13. An Act to amend the Act to amend and consolidate the law relating to the Preservation of Useful Birds and Animals.

Chap. 14. An Act in reference to the Maintenance and Employment of Prisoners confined in Jail.

Chap. 15. An Act in relation to the Office of Queen's Printer.

The undersigned recommends that the power of disallowance be not exercised with respect to these Acts.

Chap. 16. An Act to amend the Nova Scotia Railway Act of 1880.

This chapter will form the subject of a special report.

Chap. 17. An Act to amend chapter 14 of the Acts of 1877, relating to the University of Halifax.

Chap. 18. An Act to provide for the organization of a Law Faculty in connection with Dalhousie College, and for other purposes.

Chap. 19. An Act to legalize Jury Lists and Proofs and Assessment Rolls and Revisers' Lists for the present year.

Chap. 20. An Act to provide for defraying certain expenses of the Civil Government of this Province.

Chap. 21. An Act to further amend the Act concerning the City of Halifax, and the Acts in amendment thereof.

- Chap. 22. An Act in addition to the Act to enable the City of Halifax to erect Buildings for Industrial and Agricultural Exhibitions.
- Chap. 23. An Act to enable the City of Halifax to grant a Subsidy in aid of the construction of a Graving or Dry Dock within the City of Halifax.
- Chap. 24. An Act to enable the City of Halifax to appropriate a lot of Land for a Railway Terminus, and for other purposes.
- Chap. 25. An Act to amend chapter 25 of the Acts of 1868, entitled an Act to regulate the Poor Asylum and Hospital in the City of Halifax.
- Chap. 26. An Act to vest the Court House at Halifax in Commissioners, and for other purposes.
- Chap. 27. An Act to incorporate the Trustees of Mount Hope Cemetery, Annapolis.
- Chap. 28. An Act to incorporate the Forest Hill Cemetery Association, Barrington.
- Chap. 29. An Act to enable the Trustees of a School Section in the County of Cape Breton to borrow money.
- Chap. 30. An Act to authorize the sale of Union Church, at Portapique, in the County of Colchester.
- Chap. 31. An Act to establish an additional Polling District in the County of Cumberland.
- Chap. 32. An Act to amend chapter 56 of the Acts of 1875, in reference to the Lock-up at Port Mulgrave, in the County of Guysborough.
- Chap. 33. An Act to change the names of certain Settlements in the County of Inverness.
- Chap. 34. An Act to incorporate St. John's Evangelical Lutheran Church, of Mahone Bay, Lunenburg County.
- Chap. 35. An Act to incorporate St. Paul's Evangelical Lutheran Church, of Chester, Lunenburg County.
- Chap. 36. An Act to enable the Municipality of Lunenburg to procure a Steam Force Engine for the District of Bridgewater.
- Chap. 37. An Act to amend the Act to incorporate the Town of New Glasgow.
- Chap. 38. An Act to further amend the Act incorporating the town of Pictou, and the Acts in amendment thereof.
- Chap. 39. An Act to change the Boundaries of certain Polling Districts in the County of Pictou.
- Chap. 40. An Act to incorporate the Upper Settlement West River Cemetery Company, Pictou County.
- Chap. 41. An Act to amend the Act concerning Electoral Districts in the County of Queen's.
- Chap. 42. An Act relating to the Boards of Health of Upper and Middle Stewiacke.
- Chap. 43. An Act to amend the Act to incorporate the Town of Truro.
- Chap. 44. An Act to amend chapter 49 of the Act of 1876 entitled: "An Act to amend the Act to incorporate the Town of Truro."
- Chap. 45. An Act to amend the Act to incorporate the Town of Windsor.
- Chap. 46. An Act to further amend the Act to incorporate the Town of Windsor.
- Chap. 47. An Act to provide for supplying the Town of Windsor with Water.
- Chap. 48. An Act to confer certain powers on the Trustees of the Western Counties Railway Company.
- Chap. 49. An Act to enable the Municipality of Yarmouth to redeem Bonds issued for payment of Railway damages.
- Chap. 50. An Act to incorporate the Trustees of Lake George Baptist Church of Yarmouth.
- Chap. 51. An Act to incorporate the Board of Management of Ministerial Relief and Aid Fund of the Baptist Convention of the Maritime Provinces.
- Chap. 52. An Act to incorporate the American Oil Company (Limited).
- Chap. 53. An Act to incorporate the Avondale Plaster Company (Limited):



Chap. 54. An Act to revise and continue the Act to incorporate to Bedford Grain Importation, Milling and Manufacturing Company (Limited).

Chap. 55. An Act to amend the Act to incorporate the Cape Breton Oil and Mining Company (Limited).

Chap. 56. An Act respecting the Credit Foncier Franco-Canadien.

Chap. 57. An Act to amend the Act to incorporate the Union Protection Company of Dartmouth.

Chap. 58. An Act to incorporate the Halifax Electric Light Company (Limited).

Chap. 59. An Act to amend the Acts relating to the Halifax Fire Insurance Company.

Chap. 60. An Act to amend the Act to incorporate the Halifax Gas Light Company, and the Acts in amendment thereof.

Chap. 61. An Act to incorporate the Trustees of St. Andrew's Presbyterian Church, Halifax, in communion with the Presbyterian Church in Canada.

Chap. 62. An Act to incorporate the Committee of Management of the St. John's Presbyterian Church, in Halifax.

Chap. 63. An Act to incorporate the Women's Christian Temperance Union.

Chap. 64. An Act to incorporate the City of Halifax Graving Dock Company (Limited).

Chap. 65. An Act to incorporate the Inverness Oil and Land Company (Limited).

Chap. 66. An Act to incorporate the Londonderry Stove Works Company (Limited).

Chap. 67. An Act to incorporate the Maritime Reaper and Mower Company (Limited), of Hantsport, Hants County.

Chap. 68. An Act to incorporate the Montreal and Cape Breton Oil Company (Limited).

Chap. 69. An Act to incorporate the New Glasgow Water Company.

Chap. 70. An Act to incorporate the Nova Scotia Graving Dock Company (Limited).

Chap. 71. An Act to incorporate the Nova Scotia Wood Pulp and Paper Company (Limited).

Chap. 72. An Act to incorporate the Royal Standard Gold Mining Company.

Chap. 73. An Act to incorporate the Sydney and Louisburg Coal and Railway Company (Limited).

Chap. 74. An Act to incorporate the United States and Nova Scotia Investment Company (Limited).

Chap. 75. An Act to incorporate the Windsor Water Works Company.

The undersigned recommends that the power of disallowance be not exercised with respect to these Acts.

*COPY of a Report of a Committee of the Honorable the Privy Council, approved by His Excellency the Governor General in Council on the 9th February, 1882.*

The Committee of Council have had before them a report dated 30th January, 1882, from the Minister of Justice, with respect to the Acts passed by the Legislature of the Province of Nova Scotia, in the year 1881, the 44th year of Her Majesty's reign.

On the recommendation of the Minister of Justice, the Committee advise that the power of disallowance be not exercised with respect to any of the said Acts, being chapter 1 to chapter 75 inclusively, save as regards chapter 11—and that the Lieutenant Governor of Nova Scotia for the reasons mentioned in the report of the Minister of Justice, be informed that unless the third section thereof be repealed during the present Session of the Legislature of Nova Scotia the Act would be disallowed, and chapter 16 which will form the subject of a special report.

(Certified.)

J. O. COTÉ,

*Clerk, Privy Council.*

Hon. the Minister of Justice.

DEPARTMENT OF JUSTICE, CANADA, OTTAWA, 2nd March, 1882.

*To His Excellency the Governor General in Council.*

The undersigned has the honor to report, with respect to an Act passed by the Legislature of Nova Scotia, in the year 1881, intituled "An Act to amend the Nova Scotia Railway Act, 1880" as follows:—

The Windsor and Annapolis Railway Company have petitioned for the disallowance of this Act on the ground mentioned in their petition. (In papers.)

A copy of the petition was transmitted to the Government of Nova Scotia for their remarks, and a reply has been received signed by the Attorney-General.

A copy of this reply was duly transmitted to the Windsor and Annapolis Railway Company, and the observations thereon by that company have been received.

After consideration of the matter, and the various questions involved, the undersigned is of opinion that the power of disallowance should not be exercised with respect to this Act, and he recommends accordingly.

A. CAMPBELL.

*Copy of a Report of a Committee of the Honorable the Privy Council, approved by His Excellency the Governor General in Council on the 6th March, 1882.*

The Committee of Council have had under consideration a report dated 2nd March, 1882, from the Minister of Justice, with respect to an Act passed by the Legislature of Nova Scotia, in the year 1881, intituled: "An Act to amend the Nova Scotia Railway Act, 1880."

On the recommendation of the Minister of Justice, the Committee advise that the power of disallowance be not exercised with respect to the said Act, and, therefore, that it be left to its operation.

(Certified), J. O. COTÉ, Clerk, Privy Council.

Hon. the Minister of Justice.

WINDSOR AND ANNAPOLIS RAILWAY COMPANY,  
GENERAL MANAGER'S OFFICE, KENTVILLE, N. S., 1st August, 1881.

SIR,—I beg to enclose, for your information, copy of the petition which my company were advised to present to His Excellency the Governor General, praying for the disallowance of the Act passed at the last Session of the Legislature of Nova Scotia, intituled: "An Act to amend the Nova Scotia Railway Act, 1880."

I have the honor to be, Sir, your obedient servant,  
P. INNES, General Manager.

Hon. Sir Charles Tupper, C.B., Minister of Railways and Canals, Ottawa, Ont.

*To His Excellency the Governor General of the Dominion of Canada in Council.*

The humble petition of the Windsor and Annapolis Railway Company, under their common seal, sheweth:—

1. That by an Act of the Legislature of the Province of Nova Scotia, passed 2nd May, 1865 (2d Victoria, chapter 13), entitled: "An Act to provide for the construction of two other sections of the Provincial Railways," it was enacted that the Chief Commissioner of Railways, by direction and authority of the Governor in Council, might contract for and on behalf of the Province, with any responsible party or parties, for the construction of certain sections of the Provincial Railway, including the section from Windsor to Annapolis, on the terms and under the provisions in the said Act set forth, and it was enacted by sections 7 and 8 of the said Act, as follows, that is to say:—

"7. The Governor in Council may, at any time before or after the said sections, or either of them, are or is completed, by an Order in Council, assume, on behalf of the Province, the ownership of the said sections, or either of them, by paying to the



owners thereof the value of the same—to be ascertained as hereinafter provided, either in cash or provincial debentures, at the option of the Governor in Council.”

“8. The amount to be paid under the next preceding section shall be ascertained by the decision of three arbitrators; one of whom to be appointed by the Governor in Council; one by the owner or owners of the section, and one by the principal Secretary of State for the Colonies. But in case of either of the said sections being so taken before completion, regard may be had by the arbitrators to the loss sustained by the contractors by means of such termination of their contracts.”

2. By an agreement dated 22nd November, 1866, made between the Chief Commissioner of Railways of the Province of Nova Scotia, by the direction and authority of the Governor in Council of the said Province, of the first part, and William Henry Punchard, Frederick Barry and Edwin Clark, in this petition called “the contractors,” of the other part, and which said agreement was expressed to be made in pursuance of the provisions of the said Act of 1865, the contractors agreed to construct the railway from Windsor to Annapolis upon certain terms and conditions in the said agreement expressed, and it was thereby provided that for the purposes of carrying out the said agreement, the contractors should have power to form a joint stock company, with such capital as might be necessary, for the purpose of enabling the contractors to sell and the company to purchase the railway and works therein contracted for, and to take the tolls and charges therein referred to. That when and so soon as such company was formed and capital subscribed, as therein mentioned, the intended company should possess the said railway and works subject to the terms of the said agreement.

3. By a memorandum and articles of association, dated the 26th February, 1867, and duly registered in England on the 1st of March, 1867, your petitioners were incorporated in England by the name of the Windsor and Annapolis Railway Company (Limited) for the purpose of acquiring the said railway and working the same, and for the other purposes in the said memorandum and articles of association expressed. The share capital of the company was fixed at £500,000, divided into 25,000 shares, of £20 each, with authority to borrow on bonds or debentures, or other security, to an amount not exceeding the aggregate sum of £200,000.

4. By an Act of the said Legislature, passed the 7th May, 1867 (30th Victoria, chapter 36), entitled: “An Act to incorporate the Windsor and Annapolis Railway Company,” after reciting the said Act of 1865 and the said agreement of the 22nd November, 1866, the contractors, with others, were incorporated as the Windsor and Annapolis Railway Company (being your petitioners), for the purpose of constructing a railway from Windsor to Annapolis (which it was thereby enacted that your petitioners should own), and for such other purposes, and with such extended and additional powers, privileges, and authorities as in the said Act expressed and contained.

5. By an Act of the said Legislature, passed on the 14th June, 1869, entitled: “An Act to amend the Act to incorporate the Windsor and Annapolis Railway Company,” the memorandum and articles of association above (in paragraph 3) referred to, were made binding and incorporated into the now reciting Act with the powers therein referred to.

6. Under and in pursuance of the said Acts and agreement, and of divers other transactions which have been duly effected by your petitioners with the Government of Canada, and otherwise, your petitioners have constructed the said Windsor and Annapolis Railway and have acquired, in connection therewith, and as part of their undertaking, divers other rights and powers incident thereto or connected therewith (including certain rights hereinafter particularly referred to), and have laid out very large sums of money in constructing, establishing and carrying out their said railway and undertaking, and they are now lawfully possessed of the said railway (which has been and is duly operated by them) with such several rights and powers as aforesaid.

7. By virtue of the powers in that behalf given to your petitioners, sanctioned by the said Acts of the said Legislature, your petitioners issued debentures to the



amount of £200,000, but their capital and funds proving insufficient for the purposes of the undertaking, they were compelled to incur sundry mortgage and other debts to a large amount beyond the amount of the said debentures, and ultimately, under a scheme of arrangement between your petitioners and their creditors, made in pursuance of an Act of the said Legislature, assented to on the 12th December, 1874, and entitled, "An Act to facilitate arrangements between Railway Companies and their Creditors," your petitioners, in order to meet their obligations, so incurred as aforesaid, have duly issued debenture stocks as follows, viz.:—"A" debenture stock for £75,000, and "B" debenture stock for £350,000, both bearing interest at the rate of 6 per cent. per annum. There have been also issued shares in your petitioners' company to the amount of £301,500, which are still outstanding. Nearly all the said debenture stock and shares are held in England.

8. By "The Nova Scotia Railway Act, 1880," it was enacted (section 2) that the provisions of the same Act, from section 5 to section 32, both inclusive, should apply to every railway constructed and in operation or thereafter to be constructed under the authority of any Act passed by the Legislature of Nova Scotia, and should, so far as they were applicable to the undertaking, be incorporated with the special Act authorizing the construction of the railway, unless they were inconsistent with or were expressly varied by the special Act or other Act of the said Legislature.

9. By an Act of the said Legislature, assented to on the 14th April, 1881, entitled: "An Act to amend the Nova Scotia Railway Act, 1880," certain provisions of the said Act of 1880 were repealed and varied, and by section 7 it was enacted as follows:—

"7. In the case of any railway of which the Governor in Council is authorized by statute or by any agreement or contract to assume the ownership, on paying the value of the same or compensation for any part or the whole of any outlay made thereon, and it is provided by the statute, agreement or contract, that the amount of such value or compensation is to be ascertained by arbitration: The Governor in Council of Nova Scotia may enter into possession and hold such railway and assume the ownership thereof, and be vested with all the rights, property and powers intended by any such statute, agreement or contract to be conferred on the Governor in Council on the assumption by the Governor in Council of the ownership of such railway, four weeks' notice being first given to the company in possession of the said railway, or its president, manager, secretary or agent in this Province or elsewhere, of the name of the arbitrator appointed by the Governor in Council. This enactment shall not take away the right of any company to the compensation to which such company may be entitled on the award being made under the provisions of any such statute, agreement or contract, as is hereinbefore referred to."

10. Your petitioners are informed and believe that the last-mentioned Act was introduced into the House of Assembly of the said Province on the 13th April, 1881, without public notice, that the same was passed by the Assembly on the same day, that it was also passed by the Legislative Council on the same day, and assented to by His Honor the Lieutenant-Governor on the next day, the 14th April, 1881.

11. Under the circumstances aforesaid, your petitioners had no notice of the said Act or of the provisions thereof, until it had passed and been assented to, and had no opportunity of objecting to or opposing the same.

12. Section 7 of the said Act seriously prejudices the rights and property of your petitioners, and the interests of their shareholders and bondholders in respect of the said railway and undertaking, and your petitioners are greatly aggrieved by the passing, and strongly object to and would humbly protest against the allowance of the said Act.

13. In so doing it is not necessary for them to take notice of various questions which arise (having regard to the matters hereinbefore stated, and divers other considerations) as to whether the option of purchase given by the said Act of 1865 is now continuing or operative, or whether, if so, it is not vested in the Dominion Government, or whether the said Act of 1881 is not in whole or in part *ultra vires* of the Legislature of Nova Scotia. Whether there may or may not be any railways in Nova



Scotia differently situated from your petitioners' railway, and to which section 7 of the said Act may apply, there can be no doubt that it has been enacted with the object and intention of being applied and put in force with respect to the railway and undertaking of your petitioners. Under such circumstances, they submit that they are entitled to claim of Your Excellency due consideration and protection of their rights, without reference to mere legal considerations. They conceive, indeed, that these, so far from weakening, might well serve to strengthen the grounds of this petition. But it is enough here to deal with the Act in question in the apparent sense and object in which it has been framed.

14. Your petitioners have no desire to impede any action which may be deemed beneficial to the interests of the Dominion of Canada or the Province of Nova Scotia. On the other hand, if upon terms fair and just towards them and their interests, and in a mode not invading their rights, it should be deemed expedient that the Government should acquire their undertaking, they would be prepared to concur in that decision, although it might interfere in some measure with their realizing at last and after a long period of effort the reasonable expectations of profit which induced them to undertake their enterprise. But they cannot consent to be dispossessed of their property and rights in a mode (as provided by the said Act) which would in effect enable the Provincial Government to oust your petitioners at any time upon four weeks' notice, and deprive them of any security that before they are dispossessed there shall be ascertained and paid a fair and adequate price in respect of their railway, and the property, rights and advantages forming part of their undertaking.

15. The provisions above referred to, of the Act of 1865 (assuming them to apply to their undertaking) afford your petitioners (as they are advised) a security essential to their interests, viz., that such undertaking can only be assumed by the Government thereunder upon the value thereof being actually ascertained and paid to your petitioners as thereby provided.

16. That security was and is the more essential by reason that in many respects the provisions of the said Act of 1865 are vague and imperfect, and it has become still more so by reason of the changes which have since taken place in the constitution and position of the Province of Nova Scotia, the extension and position of your petitioners' undertaking, the various rights acquired by them, and the moneys laid out by them in respect thereof, involving considerations too numerous and complicated to be herein detailed; but which must make the due provision for, and enforcement of your petitioners' rights in the mode provided for by the Act of 1865 uncertain and difficult.

17. Under such circumstances, the reservation expressed to be made by the last clause of section 7 of the said Act of 1881, as to "the right of any company" would (as your petitioners are advised) be ineffectual, if not wholly nugatory, to afford to them due protection for their interests in case, under the earlier provisions of that section, they should be dispossessed of their railway.

18. Amongst other special circumstances affecting the position of your petitioners and their undertaking, which, as they conceive, would make the provisions of the said section 7 especially unjust, as to them, is the fact that your petitioners are engaged in litigation with respect to certain rights of great value, derived by them from the Government of Canada, as to which (without entering upon matters of detail or of controversy) it appears desirable to state as follows:—

19. Your petitioners claim to be entitled, under agreement entered into with the Government of Canada on behalf of Her Majesty, in the first instance, in the month of September, 1871, and, again (by way of confirmation and compromise of various disputed claims, and in consideration of large outlay and important concessions on their part) in the month of June, 1875, the exclusive right to use the branch line from Windsor to Windsor Junction, and also running powers over the trunk line from Halifax to Windsor Junction. Those rights are of the utmost value to your petitioners, in connection with their own railway and as part of their undertaking. In the month of August, 1877, however, they were (unlawfully, as they contend) dispossessed and excluded by the officers of the Government from the use of the said

branch railway and the exercise of the said running powers, and soon afterwards the branch railway was handed over by the Government to the Western Counties Railway Company. Thereupon your petitioners took legal proceedings against that company in the Supreme Court of Nova Scotia, to establish their right to the said branch railway, and afterwards (being advised that they could not obtain a complete and effectual remedy in the premises, except as against the Crown) your petitioners caused Her Majesty's Attorney-General for Canada to be joined as a defendant in the said suit, and also proceeded by way of petition of right as against Her Majesty in order to enforce specifically the said agreements and to obtain redress for the breach thereof.

20. Such proceedings are still pending, and though thus far your petitioners have been successful in establishing their rights, as claimed in the said suit, the final decree in their favor of the Supreme Court of Nova Scotia has been carried on appeal, at the instance of the said Attorney-General, to the Court of Appeal of Canada, and at the instance of the said Western Counties Company, to Her Majesty in Council. The proceedings on the petition of right have as yet only been proceeded with so far as that a demurrer put in thereto on the part of the Crown has been overruled.

21. In the meantime the Government of Canada having retaken possession of the said Windsor Branch Line from the Western Counties Company, have placed your petitioners again in possession thereof, under a new and temporary arrangement, without prejudice to any question in the said litigation.

22. Under the circumstances aforesaid, and having regard to the great importance of the claims so made by your petitioners, it would be especially injurious to your petitioners' rights and interests that any new power should be given to the Government to take and acquire your petitioners' undertaking while they are still in litigation.

23. Your petitioners further submit that the operation and effect of section 7 of the said Act of 1881 would be so unjust to them and to their bondholders and shareholders (who have invested large sums of money, on the faith that their rights and interests would be duly maintained and protected by law), and that it is contrary to equity and universal practice to deprive and expropriate the lawful owners of property even for objects of public benefit, without first effectually providing for, ascertaining and paying the full value and compensation in respect of property so taken, that the provisions of the said Act of 1881 are inexpedient in the public interest, and if carried into effect would tend to lower the credit and reputation, in England, of the Dominion, and is contrary to public policy and ought to be disallowed.

Your petitioners therefore humbly pray that the said Act of 1881 may be disallowed.

And your petitioners will ever pray, &c.

The Common Seal of the Petitioners was  
hereunto affixed in the City of London  
on the 18th day of July, 1881, in the  
presence of

JOHN K. JACOMB-HOOD, *Chairman.*  
W. R. CAMPBELL, *Secretary.*

Seal of  
the  
Company

PROVINCIAL SECRETARY'S OFFICE,  
HALIFAX, N. S., 17th September, 1881.

DEAR SIR,—An Act to amend the Nova Scotia Railway Act of 1880 was passed in the last Session of the Legislature of this Province, and its disallowance having being petitioned for by the Windsor and Annapolis Railway Company, a report on the questions involved has been made by the Attorney-General. I beg to enclose you a copy of this report, for your information, and with the request that you will examine into the merits of the controversy, and assist in procuring the allowance of the Act, if you can do so consistently with your views of justice and propriety, as its final



passage is a matter of great importance, in the present position of railway affairs in Nova Scotia.

I have the honor to be, Sir, your obedient servant,

S. H. HOLMES, *Provincial Secretary.*

Hon. Sir CHARLES TUPPER, K.C.M.G.,  
Minister of Railways and Canals, Ottawa.

ATTORNEY-GENERAL'S OFFICE, HALIFAX, N. S., 31st August, 1881.

The undersigned has had before him the petition of the Windsor and Annapolis Railway Company to His Excellency the Governor General in Council, dated the 18th day of July, 1881, praying that the Act of the Legislature of Nova Scotia, passed on the 14th day of April, 1881, entitled: "An Act to amend the Nova Scotia Railway Act of 1880," or certain portions thereof, be disallowed, and begs to report thereon for the information of His Honor the Lieutenant-Governor, as follows:—

The statements contained in the first four paragraphs of the petition of the Windsor and Annapolis Railway Company are admitted to be correct, but the undersigned must call attention to the fact that the two sections of chapter 13 of the Nova Scotia Acts of 1865, which are quoted in the first clause of the petition, and indeed all other provisions of said chapter 13, of 1865, which have any bearing upon the subject-matter, are made applicable to and incorporated in the charter of the Windsor and Annapolis Railway Company by the terms of that charter. (Chapter 36, of the Nova Scotia Act of 1867.)

It is submitted, therefore, that all the undertakings, operations and expenditures made by the Company, or any other person, on the security of the company's property, must be considered as having been made with a view to these provisions of chapter 13 of 1865, in relation to which the Act sought to be disallowed is merely auxiliary.

The circumstances which led to the introduction and passage of the Act petitioned against are, briefly, these:—

The railway system of Nova Scotia (apart from the railways owned by the Dominion of Canada) consists of various lines, operated under different managements, the line of the petitioning company being one. It has been long considered desirable, in the interests of the Government of Nova Scotia and of the public at large, to combine these lines of railway under one management, if that can be accomplished without entailing too heavy burdens upon the Province, or operating unjustly to those who now have interests in the railways. The only practicable mode of carrying out any such policy would be to exercise, in relation to this company's railway, on behalf of and under the authority of the Government of Nova Scotia, the powers conferred by sections 7 and 8 of chapter 13, Nova Scotia Acts of 1865, quoted in the first clause of the petition; and, in relation to the other railways, to exercise other powers, some of them of a like character, possessed by the Nova Scotia Government.

The undersigned submits that the powers conferred by sections 7 and 8 are vested in the Government of Nova Scotia alone. They were undoubtedly possessed by the Government of Nova Scotia, as constituted prior to the union of the Provinces. When the union was consummated the railway, in respect of which these sections were enacted, remained a local undertaking, within the Province, and in regard to it the Parliament of Canada had no authority to legislate, without, at any rate, first enacting that it was a railway for the general benefit of Canada, which has never been done. The undersigned for the present bases his contention, as regards the rights of the Government of Nova Scotia, upon these general principles, and thinks he may fairly do so, as the petition of the Windsor and Annapolis Railway Company waives any discussion of this point, although suggesting that doubts may exist in relation to it.

No legislation exists expressly, or by necessary implication, abrogating sections 7 and 8, chapter 13, Nova Scotia Acts, 1865.

The undersigned therefore submits that the legislation effected by the statute petitioned against is clearly within the competence of the Nova Scotia Legislature.

As regards the fairness of the statutory provisions objected to, the following observations are offered :—

It has been found, on a full consideration of the policy before referred to, that although it should be conceded that sections 7 and 8, chapter 13, Nova Scotia Acts, 1865, are in full force, and applicable to this company's railroad, and that the powers herein conferred are now possessed by the Government of Nova Scotia, great practical difficulty may exist in carrying out these sections, if the company should be disposed to resist their operation, and should refuse, neglect, or delay to make the appointment of an arbitrator, or to comply with the award. Hence it was desirable to supply by statute the details required by the spirit and principle of the two sections of the Act of 1865, if such could be done without injury to the rights or property possessed by the persons or companies who might be interested in the railroads subject to these two sections, or to any kindred provisions of statutes or contracts. The Act petitioned against, it is submitted, does not enlarge the principle of the two sections of the Act of 1865, or vary in any way the provisions of those sections, nor does it invade or destroy any rights possessed by any companies or persons whomsoever, excepting by depriving them of the power to obstruct the due and fair execution of sections 7 and 8 of the Act of 1865. It expressly reserves the right of any company to the compensation to which such company may be entitled under any award that may be made, and therefore confers upon the petitioning company the same rights and remedies as are possessed by any public creditor, and it may be fairly contended that sections 7 and 8 contemplated no other rights and remedies being given or reserved, because it gave to the Government the option of paying for the railroad in provincial debentures. The statute petitioned against can be said to be very little more than a statute providing for the mode in which sections 7 and 8 of the Act of 1865 are to be carried into practical operation, and the mode provided is the one usually adopted in such cases. It is a matter of every day practice when by contract or statute an arbitration is provided for, to provide by a subsequent contract or statute, the mode in which the arbitrators shall be appointed, and their award enforced; and it is a matter of every day experience in the legislation of all the Provinces, and of the Dominion, that the expropriation of property by a summary method is provided for, the right of compensation being reserved and provided for as it is in the statute petitioned against.

In relation to the statement contained in the 10th clause of the company's petition, the undersigned cannot but remark that the company's advisers have been under some serious misapprehension of the facts when they asserted that the statute petitioned against was introduced into the House of Assembly on the 13th April, 1881, without public notice, and was passed by the Assembly on the same day, and that it was also passed by the Legislative Council on the same day, and assented to by His Honor the Lieutenant-Governor on the next day. It has never been the practice in the Nova Scotia Legislature to give public notice of the introduction of a public Bill, such as this unquestionably was. The Bill was introduced (under the title under which it was finally assented to) by the leader of the Government into the House of Assembly on the 7th April, 1881, when it was read a first time, and ordered to be read a second time. On the 8th April, 1881, it was read a second time, and committed to the committee of the whole house. On the 12th April, 1881, it passed the house in committee of the whole, and on the 13th April, 1881, it was read a third time, and sent to the Legislative Council for their concurrence. The Legislative Council passed the Bill 13th April, 1881, and it was assented to the next day.

The undersigned is informed that the agent and representative of the Windsor and Annapolis Railway Company had notice that a Bill to amend the Nova Scotia Railway Act of 1880 would be introduced long before the Bill was actually introduced.

With respect to the 18th, 19th, 20th, 21st and 22nd sections of the company's petition, the undersigned submits that the assertions there made are not relevant to the subject under discussion. The arbitration intended to be enforced by the statute



petitioned against does not relate to or affect the branch line from Windsor to Windsor Junction, nor does the statute confer any rights or powers on the Nova Scotia Government in respect to that branch, nor is it in any way applicable thereto. If the petitioning company should succeed in establishing any right in relation to the Windsor branch, that right must be acquired by the Nova Scotia Government, either by contract or by valuation, and it is not intended to be invaded, and the undersigned submits will not be invaded, lessened or impaired by the statute sought to be disallowed. The litigation referred to in the petition as arising out of the position of the Windsor Branch is not in any way interfered with by the statute.

In conclusion, the undersigned submits that all the contentions made in the closing paragraph of the petition can be successfully controverted. The contention that the rights of bondholders and shareholders who have invested large sums of money on the faith that their rights and interests would be duly maintained and protected by law, will be invaded by this statute, is found to be unsustained when it is seen that these investments were made with distinct notice contained in the charter of the petitioning company, that the investments would be subject to sections 7 and 8 of the Act of 1865. The contention that it is contrary to equity and universal practice to deprive and expropriate the lawful owners of their property, even for objects of public benefit, and without first effectually providing for, ascertaining, and paying the full value and compensation in respect to properties so taken, is surely unwarranted in its application to this statute, when it is considered that the right to value and compensation is secured by the statute itself, and by the statute of 1865, and when it is considered that the mode of ascertaining the "full value and compensation" provided for in the Act of 1865 is left unimpaired, and is practically the same as that usually applied in the expropriation of property for public purposes. Nearly all the public works of the Province, including the Windsor and Annapolis Railway, have been constructed on lands expropriated, and only valued and paid for long after they had been taken possession of for the purposes for which they were expropriated.

All of which is respectfully submitted.

JOHN S. D. THOMPSON, *Attorney General*.

WINDSOR AND ANNAPOLIS RAILWAY COMPANY,  
GENERAL MANAGER'S OFFICE, KENTVILLE, N.S., 1st November, 1881.

SIR,—On 1st August last I sent you a copy of a petition my company had forwarded to the Secretary of State, praying that the Governor General in Council would disallow an Act of the Nova Scotia Legislature, which purported to authorize the Provincial Government compulsorily to assume possession of my company's railway upon twenty-eight days' notice, and before either its value had been determined, or the price paid, as was provided in the charter.

The Attorney-General of Nova Scotia prepared a report in answer to the said petition, which is very misleading and only deals with what he assumes to be general principles, avoiding the real and important points at issue. My directors have accordingly thought it proper to supplement their original petition by certain observations on the report of the Provincial Attorney-General, of which I send you a copy herewith.

The time occupied in communicating with my directors in England will account for the delay in sending in this document, and I take the liberty of requesting that when the matter comes to be disposed of, this document is made part of our case, and has consideration accordingly.

I have the honor to be, Sir, your obedient servant,

P. INNES.

Hon. Sir CHARLES TUPPER, C. B.,  
Minister of Railways, Ottawa.

*To His Excellency the Governor General of the Dominion of Canada in Council.*

In the matter of the Act of the Nova Scotia Legislature assented to 14th April, 1881, intituled "An Act to amend the Nova Scotia Railway Act, 1880."

Observations of the Windsor and Annapolis Railway Company on the report of the Attorney General of Nova Scotia, dated 31st August, 1881, on the company's petition for disallowance of the above Act.

In reply to the report of the Attorney General for the Province of Nova Scotia, your petitioners desire to make the following observations:

1. Even if your petitioners are bound to surrender their line to the Government of Nova Scotia, as insisted on by the Attorney General, they are only bound to do so upon the terms of the 7th and 8th sections of 28 Vic., chap. 13. It was with full notice of and in reliance on those sections that the bondholders and shareholders laid out their money, according to the statement of the Attorney-General himself, and what your petitioners object to in the act petitioned against is that it alters and renders nugatory the provisions of those sections.

2. Your petitioners feel bound to call the attention of the Governor-General in Council to the very grave questions involved in the claim of the Government of Nova Scotia to assume the ownership of this railway which the Attorney-General has lightly passed over after stating certain alleged general principles upon which the claim is founded. The British North America Act, by the joint effect of section 108 and schedule 3, vested in the Dominion all the property in railways belonging to the several Provinces, and the intention is, it is submitted, clear that all rights over Provincial railways, except such as were vested in private individuals or companies, should vest in the Dominion. The question whether rights, such as that now under consideration, passed to the Dominion Government under those provisions is of moment not only to the Dominion and Provincial Governments but to the other parties interested in them. It is submitted that the right in question was a contingent equitable right of property in the railway, and as such passed to the Dominion under the terms of the said section of the British North America Act. It need hardly be pointed out that if the right of purchase is now vested in the Dominion the Act petitioned against would, upon all the principles maintained by the Dominion Government in their litigation with the Windsor and Annapolis Railway Company, be *ultra vires* of the Nova Scotia Legislature.

3. Your petitioners desire to point out that the Dominion Government, in its dealings and litigation with your petitioners, has always claimed to act upon and legislate with respect to the other portions of the charter under which your petitioners' railway was built, and they submit that that charter cannot be enforced partly by the Dominion and partly by the Provincial Government.

4. Further, it appears, from the provisions of 28 Vic., chap. 13, that the power to assume possession of the railway granted to the Provincial Government by the 7th and 8th sections was granted to them as the owners of other portions of the Provincial Railway already made, and to enable them to work the provincial railways as a whole if they thought fit. The other portions of the provincial railways which were vested in the Provincial Government have admittedly been transferred to the Dominion Government, and your petitioners submit that the right to purchase this section of the provincial railways, of which your petitioners are owners, must now be vested in the Dominion Government, or should otherwise be held to have lapsed, the object of the provisions having been rendered impossible by the Act of the Imperial Legislature.

5. Even if the Nova Scotia Government are entitled to avail themselves of the provisions of the 7th and 8th sections of 28 Vic., chap. 13, the great injustice that will be inflicted upon your petitioners by the Act in question, if sanctioned, sufficiently appears from the Attorney-General of Nova Scotia's own statement, that if the company refuses to appoint an arbitrator, the arbitration provided by 28 Vic., chap. 13, secs. 7 and 8, cannot be carried out. The effect of the Act in question will be to deprive the Windsor and Annapolis Railway Company of any means of obtaining



compensation, except under such an arbitration, and although the Act provides for the appointment of an arbitrator by the Government, there is no means provided for your petitioners of enforcing the appointment of the third arbitrator by the principal Secretary of State for the Colonies, nor is there any provision for the death or refusal to act of either of the arbitrators, or their failure to agree. Your petitioners, therefore, have no security under the Act that they will be able to obtain the award which is made a necessary condition of their obtaining any compensation. The bondholders and shareholders provided their money on the faith of the provisions that they should not be deprived of the railway without compensation having been first paid to them, and not upon the chance of the successful issue of such an arbitration.

6. Even if the arbitrators should be appointed, and an award eventually made in accordance with the provisions of said sections, great hardship and injustice would still result to the Windsor and Annapolis Railway Company; for, while their income available for the payment of debenture holders and shareholders would cease as soon as the railway was taken possession of by the Government, the amount payable for compensation would not be available till the conclusion of the arbitration. Such an arbitration would in this case be necessarily protracted, for the value of the railway could not be ascertained till after the final determination of the litigation at present proceeding between your petitioners and Her Majesty's Attorney-General for Canada. It is submitted that it is entirely erroneous to suppose that the value of the rights of your petitioners in the Windsor Branch could be separately valued and purchased as suggested by the Attorney-General of Nova Scotia. The value of the Windsor and Annapolis Railway itself must very largely depend upon whether it is merely a local line, having no access beyond Windsor, and to the Intercolonial Railway, or whether it has running powers over the Windsor Branch and Trunk Line into Halifax.

7. It is submitted that the above considerations show that the Attorney-General for Nova Scotia is in error in representing the Act in question as merely providing for the mode of carrying out an arbitration already existing. Such an Act would merely give additional powers and privileges to the parties concerned; the Act petitioned against takes away from the Windsor and Annapolis Railway Company, the right to hold their railway till its value has been paid to them, without making any compensation to them for the loss of so valuable a right. It is further submitted that the Act fails to provide any efficient means of appointing the arbitrators and enforcing their award, which are its alleged objects.

8. Your petitioners further submit that the Act in question is wholly unnecessary—that there is no ground for saying that the Windsor and Annapolis Railway Company are unwilling to enter into reasonable arrangements with the Provincial Government for the transfer to them of their railway for a fair consideration, and if they were so, it is submitted that the said railway company could be compelled by mandamus to appoint an arbitrator, under the provisions of 28 Vic., chap. 16, secs. 7 and 8, and that the Provincial Government would not meet with the difficulty which your petitioners might in obtaining the appointment of the third arbitrator by the Imperial Government. If even it be necessary to avoid the delay of the arbitration and give Statutory powers to enable the Provincial Government to take immediate possession of your petitioners' railway, this might be done without inflicting the hardships complained of, by an Act containing provisions analogous to those of the Land Clauses Consolidated Act, 1845 (8 Vic., c. 18, s. 85), and providing that the Government should pay to your petitioners the value of their property, and all its appurtenances, rights, &c., as estimated by competent, independent persons, before taking possession of it; or by an Act corresponding with the Acts under which the property of the British telegraph companies were acquired by the Imperial Government, which contained clauses defining in principle the amount of compensation to be paid, which had previously been agreed upon with the companies. In either case the Act should provide the company with the means of asserting their right to any sum claimed by them, in addition to the amount paid by the Government, by an arbitration under conditions which should secure to the company the means of obtaining a valid award.

9. Your petitioners desire to point out, that by the admissions of the Attorney-General for Nova Scotia, the Act was carried through both Houses, and received the assent of the Lieutenant-Governor in seven days. Your petitioners only became aware of it on the day before it received the assent, and their agent was then expressly assured by the Honorable S. H. Holmes, on the part of the Provincial Government, that it did not affect the company. Your petitioners had, therefore, no opportunity of pointing out, during the passing of the Act, the injurious effect that its provisions would have upon their property, and so obtaining such modifications as would have protected their rights in the premises.

All of which is respectfully submitted.

THE WINDSOR AND ANNAPOLIS RAILWAY CO.

Per P. INNES, *General Manager*.

*CERTIFIED COPY of a Report of a Committee of the Honorable the Privy Council, approved by His Honor the Deputy of His Excellency the Governor General in Council on the 12th October, 1882.*

On a report dated 10th October, 1882, from the Minister of Justice, stating that he has had under consideration a petition of the Windsor and Annapolis Railway Company to Your Excellency in Council, praying for the disallowance of the Act of the Legislature of Nova Scotia, passed on the 27th of February last, intituled: "*An Act for the consolidation of the Nova Scotia Railways*," and the petition of the stockholders, likewise praying for the disallowance of the same:

The Minister further states the Act in question was one of two considered on the 24th April last, upon a report from the Minister of Justice, made after communication with the Minister of Railways and Canals, and an Order in Council was passed allowing the Acts in question to be left to their operation.

The Minister recommends that no further action be taken in the matter, and that the substance of his report be communicated to the Windsor and Annapolis Railway Company, and to the debenture stockholders of the company.

The Committee submit the above recommendation for Your Excellency's approval.

JOHN J. MCGEE.

Hon. the Minister of Justice.

NEW BRUNSWICK, 1881.

(44 Victoria.)

*CERTIFIED COPY of a Report of a Committee of the Honorable the Privy Council, approved by His Excellency the Governor General in Council on the 24th July, 1882.*

On a report dated 14th July, 1882, from the Minister of Justice, recommending, with respect to the Acts passed by the Legislature of the Province of New Brunswick in the year 1881, the 44th year of Her Majesty's reign, being chapters 1 to 74 inclusively, that the power of disallowance be not exercised with regard to any of the said Acts.

The Committee concur in the foregoing recommendation of the Minister of Justice, and they advise that the attention of the Lieutenant-Governor of New Brunswick be called for the consideration of his advisers, to the observations of the Minister of Justice upon chapters 19 and 44 respectively.

JOHN J. MCGEE.

Hon. the Minister of Justice.

OTTAWA, 14th July, 1882.

*To His Excellency the Governor General in Council.*

The undersigned has the honor to report with respect to the Acts passed by the Legislature of the Province of New Brunswick, in the year 1881, as follows:—

Chap. 1. An Act to legalize the Assessment of the Town of Portland, in the City and County of St. John, for the year 1880.



Chap. 2. An Act to authorize the Town of Portland to issue Guarantee Bonds.

Chap. 3. An Act to authorize the Town of Portland to issue Debentures to provide for the payment of Debentures issued under the authority of "The Common Schools Act, 1871."

Chap. 4. An Act to provide for a Special Assessment upon the City of St. John.

Chap. 5. An Act to enable the Municipality of the City and County of St. John to provide for the payment of certain advances made to the said City and County by the Provincial Government on Common Schools Account.

Chap. 6. An Act relating to Rates and Taxes in the Town of Portland.

Chap. 7. An Act to provide for defraying certain expenses of the Civil Government of the Province.

Chap. 8. An Act to provide for the repair and improvement of Roads and Bridges, and other Public Works and Services.

Chap. 9. An Act to amend chapter 100 of the Consolidated Statutes, "Of Rates and Taxes."

Chap. 10. An Act in Amendment of chapter 100 of the Consolidated Statutes, "Of Rates and Taxes."

Chap. 11. An Act in amendment of Consolidated Statutes, chapter 94, "Of Licensing of Auctioneers."

Chap. 12. An Act relating to the transaction of the business of the Supreme Court.

Chap. 13. An Act respecting Records and Proceedings thereon in certain cases in the Superior Courts.

Chap. 14. An Act to provide for the admission in evidence of Telegraphic Messages.

Chap. 15. An Act to amend the Law respecting Documentary Evidence in certain cases.

Chap. 16. An Act further to continue chapter 113 of the Consolidated Statutes, "Of the Destruction of Bears."

Chap. 17. An Act in amendment of chapter 104 of the Consolidated Statutes, "Of the Public Health."

Chap. 18. An Act relating to Provincial Debentures.

The undersigned recommends that the power of disallowance be not exercised with respect to these Acts.

Chap. 19. An Act relating to the registration and qualification of Physicians and Surgeons.

Section 32 of this Act is as follows:—

"If the registrar make, or cause to be made, any wilful falsification in any matters relating to the register, he shall forfeit a sum not less than one hundred dollars, to be recovered as hereinbefore provided as to persons practising medicine, surgery or midwifery illegally."

The offence created by the section, and for which a penalty is fixed, would appear to be felony under 32 and 33 Vic., chap. 19, sec. 4.

While not recommending that the power of disallowance be exercised with respect to this Act, the undersigned would respectfully recommend that the attention of the Lieutenant-Governor of the Province of New Brunswick be called to the section for the consideration of his advisers.

Chap. 20. An Act to make provision for Annual Returns of Municipal and Civic Indebtedness.

Chap. 21. An Act relating to the nomination and election of County Councillors.

Chap. 22. An Act to amend chapter 44 of the Consolidated Statutes, "Of absconding, concealed, or absent Debtors."

Chap. 23. An Act further to amend chapter 69 of the Consolidated Statutes, "Of Taxes on unimproved Granted Lands for certain purposes."

Chap. 24. An Act to amend chapter 2 of the Consolidated Statutes, "Of the division of the Province into Counties, Towns and Parishes, so far as the same relates to the Boundary between Restigouche and Gloucester."

Chap. 25. An Act in addition to chap. 45 of 41st Vic., intituled: "An Act for the protection of certain Birds and Animals."

Chap. 26. An Act further to continue an Act to incorporate the Northern and Western Railway Company of New Brunswick.

Chap. 27. An Act further to revive and continue the several Acts relating to the Central Railway Company.

Chap. 28. An Act to erect part of the Parish of Nelson, in the County of Northumberland, into a separate Town or Parish.

Chap. 29. An Act to establish additional Polling Places in the Counties of King's and Charlotte.

Chap. 30. An Act to amend chapter 57 of the Consolidated Statutes, relating to the Town of Portland Civil Court.

Chap. 31. An Act to alter the Boundary Lines of the Parish of St. Croix, in the County of Charlotte.

Chap. 32. An Act to authorize the Municipal Council of Gloucester County to exempt Starch Factories from taxation.

Chap. 33. An Act to enable the Municipality of Kent to make provision for the payment of certain indebtedness.

Chap. 34. An Act to erect part of the Parishes of Saumarez and Inkerman, in the County of Gloucester, into a separate Parish.

Chap. 35. An Act to authorize the Municipality of the County of Charlotte to pay County Councillors for attendance at meetings of County Council.

Chap. 36. An Act in further amendment of the law relating to the Local Government of the City of St. John.

Chap. 37. An Act to authorize the municipality of the County of Kent to pay County Councillors for attendance at meetings of County Council.

Chap. 38. An Act to amend 43 Vic., chap. 28, intituled: "An Act in addition to and in amendment of certain Acts relating to Public Slaughter Houses in the City and County of St. John."

Chap. 39. An Act to unite the east and west Common Fields, in the Parish of Hopewell, Albert County, into one Common Field by the name of "The Great Common Field in Hopewell."

Chap. 40. An Act to amend 43 Vic., chap. 24, intituled: "An Act to authorize the Town of Portland to raise Money by way of loan for making better provision against Fire in the eastern part of the said Town."

Chap. 41. An Act to revive and make perpetual the several Acts for the repair of the Streets and Highways in part of the Parish of Woodstock, in the County of Carleton, so far as the same relate to the Upper Woodstock Road District.

Chap. 42. An Act relating to the Public Debt of the City of St. John.

Chap. 43. An Act relating to Sewerage in the Town of Portland.

The undersigned recommends that the power of disallowance be not exercised with respect to these Acts.

Chap. 44. An Act to incorporate the St. John Bridge and Railway Extension Company.

By this Act power is given to the company to bridge the River St. John at such point at or near the city of St. John as the company may select for the purpose. It is provided, however, that the bridge shall not interfere with the navigation of the river, and this provision it appears it is the intention to comply with, by building at or near the present suspension bridge and at a height above the water equal to or greater than the height above the water of the present suspension bridge; and in the consideration of the question as to whether the bridge will be an interference with the navigation of the river or not, it would appear that the Legislature has considered the artificial as well as the natural conditions of the river at the place where it is proposed to erect the bridge. As the company, however, are only empowered to build the bridge in case it does not interfere with the navigation of the river, the undersigned would recommend that the power of disallowance be not exercised with regard to this Act.



Chap. 45. An Act to authorize the Board of School Trustees of Portland to issue Debentures.

Chap. 46. An Act to authorize the Mayor, Aldermen and Commonalty of the City of Fredericton to consolidate the Debenture Debt of said City.

Chap. 47. An Act to explain and amend the Law relating to the granting of Business Licenses in the City of St. John.

Chap. 48. An Act to amend several of the Acts relating to the City of Fredericton.

Chap. 49. An Act relating to the management of the Sinking Fund in the Town of Woodstock.

Chap. 50. An Act further relating to Trespasses, Fences and Pounds in the Municipality of York.

Chap. 51. An Act to amend an Act to provide for the drainage and protection of the different Marsh Lands in the Parish of Lancaster, in the County of St. John.

Chap. 52. An Act to authorize the Municipality of York to lease certain lands at Crock's Point, in the Parish of Bright, in the County of York.

Chap. 53. An Act to vest the title of the Masonic Hall property in the Town of Richibucto, in the County of Kent, in the Trustees elected and appointed by Lodge St. Andrew, No. 16, New Brunswick Registry of Free and Accepted Masons.

Chap. 54. An Act to enable the Trustees of the Centenary Methodist Church at St. John, N.B., to issue Debentures on the security of their Corporate Property in the City of St. John.

Chap. 55. An Act to authorize the Rector, Church Wardens and Vestry of St. James' Church, in the Parish of St. James, in the City of St. John, to sell and dispose of certain lands and premises.

Chap. 56. An Act to authorize the Rector, Church Wardens and Vestry of the Church of St. John the Evangelist, Bay du Vin, Northumberland, to dispose of certain lands.

Chap. 57. An Act to consolidate all Acts relating to the St. John County Agricultural Society, and to change the name, and add to the powers thereof.

Chap. 58. An Act to incorporate the New Brunswick Society for the Prevention of Cruelty to Animals.

Chap. 59. An Act authorizing the Credit Foncier Franco-Canadien to extend its operation to and in the Province of New Brunswick.

Chap. 60. An Act further in addition to and in amendment of an Act to incorporate the Sheer Boom Improvement Company.

Chap. 61. An Act to incorporate the Moncton Harbor Improvement Company.

Chap. 62. An Act to consolidate and amend the several Acts relating to the South-West Boom Company.

Chap. 63. An Act to amend an Act to incorporate the Restigouche Boom Company.

Chap. 64. An Act to incorporate the St. George Cotton Mill Company.

Chap. 65. An Act to amend an Act intituled: "An Act to incorporate the St. Croix Cotton Mill Company."

Chap. 66. An Act to incorporate the Hampstead Cheese Manufacturing Company.

Chap. 67. An Act to incorporate the Rothesay Water Company.

Chap. 68. An Act to incorporate the Curry's Cove Wharf Company.

Chap. 69. An Act to incorporate The South-West River Driving Company.

Chap. 70. An Act to incorporate the Eastern Marine Insurance Company, of St. John, New Brunswick.

Chap. 71. An Act to incorporate The Dominion Safety Fund Life Association.

Chap. 72. An Act to incorporate The New Brunswick Lloyd's Marine Insurance Company.

Chap. 73. An Act to incorporate The Woodstock and Harvey Railway Company.

Chap. 74. An Act relating to the Estate of the Reverend James Dunphy deceased.

The undersigned recommends that the power of disallowance be not exercised with respect to these Acts.

A. CAMPBELL, *Minister of Justice.*

PRINCE EDWARD ISLAND, 1881.

(44 Victoria.)

DEPARTMENT OF JUSTICE, OTTAWA, 13th November, 1882.

*To His Excellency the Governor General in Council.*

The undersigned has the honor to report that he has had under consideration the Acts of the General Assembly of the Province of Prince Edward Island, passed in the year 1881; and he recommends that the power of disallowance be not exercised in regard to the following Acts, namely:—

Chap. 1. An Act respecting Dogs.

Chap. 2. An Act to amend the Domestic Animals Act, 1878.

Chap. 3. An Act further to amend the Act to regulate the Registry of Deeds and Instruments relating to the Title to Land and to repeal the Laws heretofore passed for that purpose.

Chap. 4. An Act respecting the Garnishment of Debts.

Chap. 5. An Act to amend the Intestacy Act, 1873.

Chap. 6. An Act to amend the laws regulating the laying out, altering, and closing of Highways.

Chap. 7. An Act respecting Evidence and Practise in the Supreme Court.

Chap. 8. An Act to establish Steam Ferries at Cardigan and Bedeque.

Chap. 9. An Act to regulate the management of the Government Stock Farm.

Chap. 10. An Act respecting Trustees and Executors.

Chap. 11. An Act relating to Factories in Prince Edward Island, other than in any City therein.

Chap. 12. An Act to amend An Act to protect the rights of Married Women in certain cases.

Chap. 13. An Act respecting Deeds executed by the "Public Trustee" under the Land Purchase Act, 1875.

Chap. 14. An Act to confirm the registration of Deeds executed to "The Commissioners of Public Lands."

Chap. 15. An Act respecting the Lands purchased by the Government.

Chap. 16. An Act respecting the Court of Chancery.

Chap. 17. An Act to authorize the Master of the Rolls and Vice-Chancellor to appoint Officers of the Court of Chancery.

Chap. 19. An Act to amend An Act for appointing Commissioners of Sewers.

Chap. 20. An Act to continue an Act therein mentioned.

Chap. 21. An Act to authorize the levying of an Assessment for the year 1881.

Chap. 22. An Act for appropriating certain Monies therein mentioned for the service of the year of Our Lord one thousand eight hundred and eighty-one.

Chap. 23. An Act to encourage new industries in the Town and Common of Charlottetown.

Chap. 24. An Act to further amend an Act to incorporate the Town of Summerside, and the Act in amendment thereof.

Chap. 25. An Act respecting the Credit Foncier Franco-Canadien.

Chap. 26. An Act to incorporate the Morell Starch Company.

Chap. 27. An Act to incorporate the Prince Edward Island Butter, Cheese and Starch Company.

Chap. 28. An Act for the incorporation of the Charlottetown Woollen Company.

Chap. 29. An Act for the incorporation of the Prince Edward Island Pottery Company.

Chap. 30. An Act to incorporate the Crapaud Starch Company.

Chap. 31. An Act to incorporate the St. Mary's Hall Company, Tignish.



Chap. 32. An Act for the incorporation of the Miminegash Coal Company.

Chap. 33. An Act to incorporate the Trustees of the Presbyterian Hall and Church at Stanley Bridge.

Chap. 34. An Act to vest certain Church Lands at St. Peter's in the Roman Catholic Episcopal Corporation of the Diocese of Charlottetown.

Chap. 35. An Act to confirm the sale of certain Lands in Charlottetown.

Chap. 36. An Act to incorporate the Caledonian Club of Prince Edward Island.

In reference to chapter 18, intituled: "An Act respecting the Administration by the Crown of the Estates of Intestates in certain cases," the undersigned has submitted a separate report.

A. CAMPBELL, *Minister of Justice.*

**CERTIFIED COPY of a Report of a Committee of the Honorable the Privy Council, approved by His Honor the Deputy of His Excellency the Governor-General in Council on the 24th November, 1882.**

The Committee of Council have had before them a report dated 13th November, 1882, from the Minister of Justice, with respect to the Acts of the General Assembly of the Province of Prince Edward Island, passed in the year 1881, the 44th year of Her Majesty's Reign.

On the recommendation of the Minister of Justice, the Committee advise that the power of disallowance be not exercised with respect to any of the said Acts, being chapter 1 to chapter 36, inclusively, save as regards chapter 18, intituled:—"An Act respecting the Administration by the Crown of the Estates of Intestates in certain cases," upon which the Minister of Justice has submitted a separate report.

JOHN J. MCGEE.

Hon. the Minister of Justice.

DEPARTMENT OF JUSTICE, OTTAWA, 13th November, 1882.

*To His Excellency the Governor General in Council.*

The undersigned has had under consideration an Act passed by the General Assembly of the Province of Prince Edward Island in the year 1881, chaptered 18 and intituled: "An Act respecting the Administration by the Crown of the Estates of Intestates in certain cases."

He observes that by the 8th section of the Act, it is provided that, "moneys realized from estates, to which the Attorney-General is administrator under this Act shall be kept in a separate account in such bank, or invested in such manner as the Lieutenant-Governor in Council may, from time to time, appoint, and all moneys which have been unclaimed for ten years shall, from time to time, be paid into the Treasury of this Island, for the use and benefit of Her Majesty."

Among the estates to which the Attorney-General may, by that Act, become administrator, is included the estates of persons dying intestate and without heirs or next of kin.

In the case of *Mercer vs. The Attorney-General of Ontario*, the Supreme Court of Canada decided that revenue derived from escheats is, by the 102nd section of the British North America Act, placed under the control of Parliament as part of the Consolidated Revenue Fund of Canada.

Although that case is the subject of an appeal to the Judicial Committee of the Privy Council, the undersigned is of opinion that it should be upheld in Canada until reversed.

For these reasons he recommends that the Act in question be disallowed.

A. CAMPBELL, *Minister of Justice.*

*CERTIFIED COPY of a Report of a Committee of the Honorable the Privy Council, approved by His Excellency the Governor General in Council on the 1st December, 1882.*

On a report dated 13th November, 1882, from the Minister of Justice, stating that he has had under consideration an Act passed by the General Assembly of the Province of Prince Edward Island, in the year 1881, 44 Vic., chap. 18, and intitled: 'An Act respecting the Administration by the Crown of the Estates of Intestates in certain cases.'

The Minister observes that among the estates to which the Attorney-General may, by that Act, become administrator, are included the estates of persons dying intestate and without heirs or next of kin, and that by the 8th section of the Act it is provided that "moneys realized from estates to which the Attorney-General is administrator under this Act, shall be kept in a separate account in such bank or invested in such manner as the Lieutenant-Governor in Council may, from time to time, appoint, and all moneys which have been unclaimed for ten years shall, from time to time, be paid into the Treasury of this Island, for the use and benefit of Her Majesty."

The Minister submits that in the case of *Mercer vs. The Attorney-General of Ontario*, the Supreme Court of Canada decided that revenue derived from escheats is, by the 102nd section of the British North America Act, placed under the control of Parliament as part of the Consolidated Revenue Fund of Canada, and that case is the subject of an appeal to the Judicial Committee of Her Majesty's Privy Council.

The Minister is of opinion that the attention of the Lieutenant-Governor of Prince Edward Island should be called to the case cited, and that he should be informed that although Your Excellency has not been advised to disallow, in the meantime, the Act under consideration, its provisions would be illegal in the event of the decision of the Supreme Court in the case referred to being upheld by the Judicial Committee.

The Committee concur in the report of the Minister of Justice, and they recommend that the Lieutenant-Governor of Prince Edward Island be informed to that effect.

JOHN J. MCGEE.

MANITOBA, 1880.

DEPARTMENT OF JUSTICE, 12th November, 1881.

*Memorandum for the Under Secretary of State.*

I am desired by the Minister of Justice, to request that the Lieutenant-Governor of Manitoba may be asked to transmit without delay an authentic copy of the Acts passed at the last Session of the Manitoba Legislature, pursuant to sections 56 and 90 of the British North America Act.

Z. A. LASH, *Deputy Minister of Justice*

DEPARTMENT OF THE SECRETARY OF STATE, OTTAWA, 23rd November, 1881.

SIR,—With reference to your memorandum of the 12th instant, I have the honor to forward to you a copy of the statutes of the last Session of the Legislature of the Province of Manitoba, with a certificate of the date of the receipt thereof at this Department duly endorsed thereon.

I have, &c.,

EDOUARD J. LANGEVIN, *Under-Secretary of State.*

Deputy of the Minister of Justice.



## MANITOBA, 1881.

(44 Victoria.)

DEPARTMENT OF JUSTICE, OTTAWA, 31st October, 1882.

*To His Excellency the Governor General in Council.*

The undersigned has the honor to report:—

That the contract, dated 21st October, 1880, made between the Government of Canada and the Canadian Pacific Railway Company, contained the following clause:

"15. For twenty years from the date hereof, no line of railway shall be authorized by the Dominion Parliament to be constructed south of the Canadian Pacific Railway, from any point at or near the Canadian Pacific Railway, except such line as shall run south-west or to the westward of south-west, nor to within 15 miles of latitude 49, and in the establishment of any new Province in the North-West Territories provision shall be made for continuing such prohibition after such establishment until the expiration of the said period."

This contract was approved and ratified by Parliament, by an Act assented to on the 15th day of February, 1881, and the action of the Government in regard to the direction and limits of railway construction in the Territories of the Dominion became part of the legislation of Parliament, and of the settled policy of the country.

By an Act of Parliament, 44 Vic. chap. 14, intituled: "An Act to provide for the extension of the Boundaries of the Province of Manitoba," and by an Act of the Legislature of Manitoba, 44 Vic., chap. 1, intituled: "An Act for the extension of the Boundaries of the Province of Manitoba," it is provided as follows:—

"(1.) The said increased limit and territory thereby added to the Province of Manitoba shall be subject to all such provisions as may have been or shall hereafter be enacted respecting the Canadian Pacific Railway, and the lands to be granted in aid thereof."

The policy of the Government, thus confirmed by Parliament and acquiesced in by legislation in the Province of Manitoba, is intended to prevent the diversion of the traffic of the North-West Territories to the railway system of the United States, and to endeavor by all means possible to secure it to Canadian railways.

Two Acts in addition to one already disallowed were passed by the Legislature of Manitoba, in the Session of 1881, and one in the Session of 1882, which are in conflict with the settled policy above referred to.

By 44 Vic. chap. 38 (1881), Manitoba, intituled: "An Act to incorporate the Manitoba Tramway Company," power is given to the corporators to construct and operate cheap iron or wooden tramways along all or any of the public highways of the Province, having first secured the consent of the municipality within which the said public highway is situate.

By section 15, sub-section 4, power is given to make, complete, alter and keep in repair the tramway, with one or more sets of rails or tracks, to be worked by the force and power of steam, or of the atmosphere, or of animals, or by mechanical power, or by any combination of them, the corporators having substantially the power to build and operate a railway.

By 44 Vic. (1881), chap. 39, Manitoba, intituled: "An Act to incorporate the Emerson and North-Western Railway Company," the corporators are empowered to construct a railway from a point on the west side of the Red River, opposite the town of Emerson, in the Province of Manitoba, to Mountain city or Nelsonville, in the said Province, and thence North-West to a point on the western boundary of the said Province, and also a branch line from Mountain city or Nelsonville, aforesaid, to the said boundary.

Emerson is situated directly on or very near to the boundary of the United States, and Mountain city is situated within fifteen miles of the 49th parallel of latitude. This company, by its charter, could not only construct a line—crossing the Canadian Pacific Railway and running from it in a south-easterly direction to a point practically

on the boundary between Manitoba and the United States, but could also construct a line west from Mountain city, and wholly within fifteen miles of the 49th parallel.

By 45 Vic., chap. 30 (Manitoba), intituled: "An Act to encourage the building of Railways in Manitoba," power is given within the legislative authority of the Province, for the incorporation, by letters patent, of any number of persons, not less than five, for the purpose of constructing, maintaining and operating railways for public use in the conveyance of persons and property in the Province of Manitoba.

The Act last mentioned was passed subsequent to the extension of the limits of Manitoba, but no provision is made in the Act to give effect to the terms and conditions upon which the boundaries of that Province were enlarged, that is, there is nothing in it to prevent the corporators from exercising their powers within the added territory. This Act is, therefore, not only open to the objections pointed out in regard to the two Acts passed during the Session of 1881, but is capable of being used to contravene the terms in regard to the Canadian Pacific Railway, upon which the boundaries of the Province of Manitoba were enlarged.

In order that the Act should conform to the legislation of Parliament in regard to the Canadian Pacific Railway, provision should have been made that no company thereby incorporated should be authorized to construct a line of railway south of the Canadian Pacific Railway, from any point at or near that railway, unless the line ran south-west or to the westward of south-west, and terminated at a point distant at least fifteen miles from the 49th parallel of latitude.

The undersigned, for the reasons above stated, humbly recommends that the said Acts, namely: 44th Vic. (1881), chap. 38, "An Act to incorporate the Manitoba Tramway Company," 44th Vic. (1881), chap. 39, "An Act to incorporate the Emerson and North-Western Railway Company," 45th Vic. (1882), chap. 30, "An Act to encourage the building of Railways in Manitoba," be disallowed.

A. CAMPBELL, *Minister of Justice.*

*CERTIFIED COPY of a Report of a Committee of the Honorable the Privy Council, approved by His Honor the Deputy of His Excellency the Governor General in Council on the 3rd November, 1882.*

The Committee of the Privy Council have had under consideration a report from the Minister of Justice, in which he recommends that the power of disallowance, vested in Your Excellency in Council under section 90 of the British North America Act, 1867, be exercised in regard to the following Acts of the Legislature of the Province of Manitoba, namely:—

44 Vic., chap. 38 (1881), intituled: "An Act to incorporate the Manitoba Tramway Company."

44 Vic., chap. 39 (1881), intituled: "An Act to incorporate the Emerson and North-western Railway Company."

45 Vic., chap. 30 (1882), intituled: "An Act to encourage the building of Railways in Manitoba."

The Committee learn that authentic copies of these Acts were received by the Secretary of State as follows: 44 Vic., chap. 38 and 39, 1881, on the 28th day of February, 1882, and 45 Vic., chap. 30, 1882, on the 3rd day of October, 1882.

The Committee, whilst concurring in the report of the Minister of Justice, and humbly advising Your Excellency to disallow each and every of the said Acts, desire to record the expression of their constant anxiety that the action of the Legislatures of the several Provinces of the Dominion should be interfered with under the power of disallowance reserved to Your Excellency in Council by the British North America Act, 1867, as seldom as possible; but when, as in the case of these Acts, the declared policy of Parliament, adopted for the common weal, is set at naught, and local legislation enacted leading indirectly and directly too, to its frustration, the committee of the Privy Council conceive that they are compelled by their duty to Parliament humbly to advise Your Excellency to use the power in question.



They further advise that a copy of this minute, when approved, and of the report of the Minister of Justice, be transmitted by the Secretary of State to the Lieutenant-Governor of Manitoba, for the information of his Government.

JOHN J. MCGEE.

Hon. the Minister of Justice.

GOVERNMENT HOUSE, OTTAWA, FRIDAY, the 3rd day of November, 1882.

Present:—The Honorable Sir William Johnston Ritchie, Knight, the Deputy of His Excellency the Governor General in Council.

Whereas the Lieutenant-Governor of the Province of Manitoba, with the Legislative Assembly of that Province, did, on the 25th day of May, 1881, pass the following Acts, viz.: 44 Vic., chap. 38, 1881, intituled: "An Act to incorporate the Manitoba Tramway Company;" 44 Vic., chap. 39, 1881, intituled: "An Act to incorporate the Emerson and North-Western Railway Company;" and, on the 30th May, 1882, did pass the Act 45 Vic., chap. 30, 1882, intituled: "An Act to encourage the building of Railways in Manitoba," which Acts have been transmitted;

And whereas the said Acts have been laid before the Deputy of the Governor-General in Council, together with a report from the Minister of Justice, recommending that the said Acts should be disallowed;

The Honorable the Deputy of His Excellency the Governor-General has thereupon this day been pleased, by and with the advice of the Queen's Privy Council for Canada, to declare his disallowance of the said Acts, and the same are disallowed accordingly.

Whereof the Lieutenant-Governor of the Province of Manitoba, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

JOHN J. MCGEE, *Clerk of the Queen's Privy Council, Canada.*

I, Sir William Johnston Ritchie, Knight, Deputy of the Governor-General of Canada, do hereby certify that the Acts passed by the Legislature of the Province of Manitoba on the 25th day of May, 1881, viz.: 44 Vic., chap. 38, "An Act to incorporate the Manitoba Tramway Company," and 44 Vic., chap. 39, "An Act to incorporate the Emerson and North-Western Railway Company," were received by His Excellency the Governor-General, as follows:—A copy, without certificate of authenticity, on the 22nd day of November, A.D. 1881, and a copy, with such certificate, on the 28th day of February, A.D. 1882, and that the Act passed by the Legislature of the Province of Manitoba, the 30th day of May, 1882, 45 Vic., chap. 30, "An Act to encourage the building of Railways in Manitoba," was received by His Excellency the Governor General on the 3rd day of October, A.D. 1882.

Given under my hand and seal this 3rd day of November, A.D. 1882.

W. J. RITCHIE, *Deputy Governor.*

DEPARTMENT OF JUSTICE, OTTAWA, 31st January, 1883.

*To His Excellency the Governor General in Council.*

The undersigned having had under consideration the Acts of the Legislature of the Province of Manitoba, passed in the year 1881, begs leave to report as follows:—

Chap. 37. An Act to incorporate the Winnipeg, South-Eastern Railway Company, was disallowed by Order in Council of the 12th January, 1882, and chap. 38, intituled: "An Act to incorporate the Manitoba Tramway Company," and chap. 39, intituled: "An Act to incorporate the Emerson and North-Western Railway Company," were disallowed by Order in Council of the 3rd November, 1882.

Chap. 2. An Act to bring into force and operation the Consolidated Statutes of Manitoba.

Chap. 7. An Act to protect Guide Posts along certain Roads in this Province.

- Chap. 16. An Act respecting the Equity side of the Court of Queen's Bench.  
 Chap. 28. An Act for dividing the Province of Manitoba into Judicial Districts and establishing Courts therein.  
 Chap. 33. An Act to incorporate the Southern Manitoba Loan Company, and  
 Chap. 34. for the incorporation of the Winnipeg Suspension Bridge Company are reserved for a separate report.

In regard to the remaining Acts of the Session, the chapter and titles of which are hereinafter enumerated, the undersigned recommends that they be left to their operation.

Chap. 1. An Act to provide for the extension of the boundaries of the Province of Manitoba.

Chap. 3. An Act respecting Municipalities.

Chap. 4. An Act to establish a system of Public Schools in the Province of Manitoba.

Chap. 5. An Act respecting the Action of Ejectment.

Chap. 6. An Act to extend the Laws of Manitoba, and to provide for the Government of those parts of the Territory to be added to the Province by the extension of its Boundaries.

Chap. 8. An Act respecting the Registration of Births, Marriages and Deaths.

Chap. 9. An Act to subdivide the Municipality of Assiniboia.

Chap. 10. An Act respecting the acceptance of certain Incorporated Companies as sureties.

Chap. 11. An Act to amend certain of the Acts forming parts of the consolidated statutes of Manitoba.

Chap. 12. An Act to divide the new added Territory to the Province of Manitoba into Electoral Divisions, and to provide for representation in the Legislative Assembly.

Chap. 13. An Act to divide the added Territory to the Province into Municipalities.

Chap. 14. An Act to divide the Province of Manitoba into Counties.

Chap. 15. An Act respecting the changing of the names of incorporated companies.

Chap. 17. An Act to provide for the erection of a new Court House and Gaol in the City of Winnipeg.

Chap. 18. An Act respecting Veterinary Surgeons.

Chap. 19. An Act respecting Half-breed Lands and quieting certain titles thereto.

Chap. 20. An Act to establish the limits of the Protestant School Districts of Morris.

Chap. 21. An Act to encourage the maintenance and the introduction and establishment of manufactories in this Province.

Chap. 22. An Act for the protection of Public Fairs or Exhibitions held by Agricultural, Horticultural and Industrial Societies.

Chap. 23. An Act respecting compensation to the families of persons killed by accidents.

Chap. 24. An Act respecting the Registration of Debentures.

Chap. 25. An Act respecting Conveyances.

Chap. 26. An Act for the better maintenance of the Provincial, Agricultural and Industrial Society of Manitoba.

Chap. 27. An Act respecting Railways.

Chap. 29. An Act respecting the profession of Land Surveyors in the Province of Manitoba.

Chap. 30. An Act to further amend the amended Act of Incorporation of the City of Winnipeg.

Chap. 31. An Act to amend the Act passed this present Session, intituled "An Act to amend certain of the Acts forming part of the Consolidated Statutes of Manitoba."

Chap. 32. An Act to amend the Act incorporating the College of Manitoba.



Chap. 35. An Act to amend 43 Vic., chap. 36, intituled : "An Act to incorporate the Manitoba Electric and Gas Light Company."

Chap. 36. An Act to incorporate the Selkirk Club of Winnipeg.

Chap. 40. An Act to incorporate the Selkirk and Rockwood Junction Railway Company.

Chap. 41. An Act to amend 43 Vic., chap. 35, intituled : "An Act to incorporate the Westbourne and North-Western Railway Company," and to legalize the By-laws of the corporation of the Town of Portage la Prairie, granting aid to the said Company by the issue of Debentures.

Chap. 42. An Act for granting certain sums of Money required for defraying certain expenses of the Civil Government of the Province of Manitoba, for the fiscal year ending 31st December, 1881, and for other purposes connected with the Public Service.

A. CAMPBELL, *Minister of Justice.*

**CERTIFIED COPY** of a Report of a Committee of the Honorable the Privy Council, approved by His Excellency the Governor General in Council on the 6th March, 1883.

The Committee of the Privy Council have had before them a report, herewith attached, dated 31st January, 1883, from the Minister of Justice, with respect to the Acts passed by the Legislature of the Province of Manitoba, passed in the year 1881, the 44th year of Her Majesty's reign.

On the recommendation of the Minister of Justice, the Committee advise that certain of the said Acts, the chapters and title of which are therein enumerated, be left to their operation; chapters 37, 38, and 39 having been disallowed by His Excellency the Governor General in Council, and chapters 2, 7, 16, 28, 33 and 34 having been reserved for a separate report of the Minister of Justice.

JOHN J. MCGEE.

DEPARTMENT OF JUSTICE, OTTAWA, 31st January, 1883.

*To His Excellency the Governor General in Council.*

The undersigned begs leave to report upon certain Acts passed by the Legislature of the Province of Manitoba in the Session of 1881, reserved for a separate report :—

(1.) By chapter 2, the Consolidated Statutes of Manitoba are brought into force and operation.

On referring to reports on the statutes included in this volume, it will be discovered that many provisions which were objected to have been re-enacted.

The following instances are given :—

(a.) 34 Vic. 1, chap. 9, sec. 2, giving the police magistrates all the powers possessed by two or more J. P.'s, is re-enacted by chapter 7, sec. 17, Con. Stats.; should be limited to matters within authority of the Legislature.

(b.) 37 Vic. 1873, chap. 43, sec. 2, sub-sec. 1. The word "parliamentary" is objected to, and also the provisions about jurors on criminal trials. Re-enacted by chap. 55, sec. 1, sub-sec. 1, Con. Stats.: (The whole Act is objectionable as legislation in regard to aliens.)

Chap. 18, sec. 53, constitutes certain offences misdemeanors.

Act repealed, but this section re-enacted by chap. 60, Con. Stats., sec. 50.

34 Vic. 1874, chap. 15. Repeal was advised, as it might conflict with 31 Vic., chap. 48 (Canada), under which foreign insurance companies have been licensed to do business in any part of Canada. Re-enacted by chap. 30 (sec. 2), Con. Stats., Manitoba. (It is objectionable also in requiring license from companies incorporated by Parliament.)

"THE ELECTION ACT."

Chap. 3, Con. Stats., amends the word "parliamentary," but sec. 32, 185, 206 and 235, objected to as trenching on criminal law appear to be re-enacted by chap. 3 of the Con. Stats.

ADMINISTRATION OF JUSTICE:

(f.) Chap. 5. It was thought that sec. 58 to 60 should be repealed, but they were re-enacted by chap. 37, Con. Stats, secs. 95, 96 and 97.

QUALIFICATIONS OF J. P.'s.

(g.) Chap. 9, sec. 16, deals with perjury. Re-enacted by chap. 7, Con. Stats., sec. 32.

BUILDING SOCIETIES.

(h.) Chap. 21. The provisions respecting interest, insolvency and criminal acts were objected to, but appear to be re-enacted by chap. 9 of the Con. Stats., excepting sec. 18, repealed.

(i.) Chap. 22. The power of the Lieutenant-Governor to remove an insane criminal from gaol to an asylum was objected to, but is re-enacted by Con. Stats., chap. 58, sec. 26.

Chap. 35. To amend the Registry Act. Section 1 objected to as interfering with the devolution of the title of lands before the issue of patents, is re-enacted by chap. 60, sec. 40, Con. Stat.

JURORS AND JURIES.

39 Vic., 1876, chap. 3. It was thought that the provisions as to the selection of French and English speaking jurors would require confirmatory legislation by Canada, but no suggestion was made.

This Act is chap. 36 of the Con. Stats.

FIRE COMMISSIONERS.

Chap. 5. Sec. 9 objected to as trenching on a criminal law, but re-enacted by chap. 7, Consolidated Statutes, sec. 94.

(m) Chap. 8. Incorporation of Mutual Fire Insurance Companies. Sections 70, 71 and 72 were objected to, but are re-enacted. See chap. 9, Consolidated Statutes, secs. 70, 71 and 72.

RESPECTING PUBLIC WORKS.

(n) Chap. 9. Sec. 31 objected to as a possible interference with Dominion authority. Re-enacted by chap. 11, sec. 31, Consolidated Statutes.

(o) 40 Vic., 1877, chap. 30. Cemeteries—Section 28 deals with malicious injuries to property. Re-enacted by chap. 9, sec. 92, Consolidated Statutes.

2. Chap. 7 intituled: "An Act to protect Guide Posts along certain Roads in this Province" trenches upon the subject of Criminal Law. Sec. 32 and 33 Vic., chap. 22, sub-secs. 59 and 60.

3. Chap. 16, intituled: "An Act respecting the Equity side of the Court of Queen's Bench," makes provision for the appointment of an officer to be called the Referee in Chambers, and the Queen's Bench is authorized to make rules conferring on him large powers ordinarily exercised by a judge. The power of the Legislature to give to an officer of the court judicial powers is extremely doubtful.

4. Secs. 73, 75 and 77, of chap. 28, intituled: "An Act for dividing the Province of Manitoba into judicial districts and establishing courts therein," deal with the empanelling of juries in criminal cases, and are not, it is submitted, within the authority of the Legislature.

5. Secs. 2 and 15, of chap. 33, intituled: "An Act to incorporate the Southern Manitoba Loan Company," deal with the subject of interest.



6. By chap. 34, intituled : "For the incorporation of the Winnipeg Suspension Bridge Company," a company is incorporated with power to build a bridge over the Assiniboine River, between Winnipeg and St. Boniface West. Section 14 provides that the bridge shall not be commenced until the plans and site are approved by the Governor General in Council.

This is entirely in accordance with the Act of Parliament since passed, 45 Vic., chap. 371, and the Act can be left to its operation.

The other Acts mentioned in this report, although objectionable in the particulars pointed out, do not, in the opinion of the undersigned, call for the exercise of the power of disallowance. They may, without injury to the public interests, be left for the consideration of the courts. He therefore recommends that they be left to their operation; and, further, that in case these observations are approved, they be communicated to the Lieutenant-Governor of the Province, for the information of his Government, and for such action as they may think proper.

A. CAMPBELL, *Minister of Justice.*

*CERTIFIED COPY of a Report of a Committee of the Honourable the Privy Council, approved by His Excellency the Governor General in Council on the 6th March, 1883.*

The Committee of the Privy Council have had before them a report herewith attached, dated 31st January, 1883, from the Minister of Justice, with respect to certain Acts passed by the Legislature of the Province of Manitoba in the Session of 1881, the 44th year of Her Majesty's reign, reserved for a separate report.

On the recommendation of the Minister of Justice, the Committee advise that the power of disallowance be not exercised with respect to any of the said Acts mentioned therein, and they further advise that the attention of the Lieutenant-Governor of the Province be directed to the observations in the report of the Minister of Justice, for the information of his Government, and for such action as they should think proper.

JOHN J. MCGEE.

BRITISH COLUMBIA, 1881.

(44 Victoria.)

*COPY of a Report of a Committee of the Honourable the Privy Council, approved by His Excellency the Governor General in Council on the 6th March, 1882.*

The Committee of Council have had before them a report dated 2nd March, 1882, from the Minister of Justice with respect, to an Act passed by the Legislature of Ontario in the year 1881, being chap. 57, 44 Vic., intituled : "An Act to amend the Acts incorporating the Toronto Gravel Road and Concrete Company."

On the recommendation of the Minister of Justice, the Committee advise that the power of disallowance be not exercised with respect to the said Act, and therefore that it be left to its operation.

(Certified),

J. O. COTÉ, *Clerk Privy Council.*

Hon. the Minister of Justice.

*COPY of a Report of a Committee of the Honourable the Privy Council, approved by His Excellency the Governor General in Council on the 3rd April, 1882.*

The Committee of Council have had before them a report dated 30th January 1882, from the Minister of Justice, concurred in by Sir John Macdonald, with respect to the Acts passed by the Legislature of the Province of Ontario, in the year 1881, the 44th year of Her Majesty's reign.

On the recommendation of the Minister of Justice the Committee advise that the power of disallowance be not exercised with respect to the said Acts, being chapter 1 to chapter 91 inclusively, save as regards chapter 11, having been disallowed, and

they further advise that the attention of the Lieutenant-Governor of Ontario be directed to the observations in the report of the Minister of Justice upon several of the said Acts.

(Certified),

JOHN J. McGEE, *Assistant Clerk Privy Council.*

for the Minister of Justice.

DEPARTMENT OF JUSTICE, OTTAWA, 13th June, 1882.

To His Excellency the Governor-General in Council.

The undersigned has the honor to report that he has examined the following Acts passed by the Legislature of British Columbia, in the year 1881, 44th Victoria, received by the Secretary of State of Canada on the 21st June, 1881, and he is of opinion that they are unobjectionable, and may be left to their operation:—

Chap. 2. An Act to constitute the Bishops of British Columbia, Caledonia and New Westminster corporations sole.

Chap. 3. An Act to amend the "Cattle Ordinance, 1869."

Chap. 4. An Act respecting the transfer of Cattle Brands and Marks.

Chap. 5. An Act respecting Coroners' Inquests.

Chap. 6. An Act respecting the Supreme Court of Canada and the Exchequer Court of Canada.

Chap. 7. An Act to amend the law respecting Documentary Evidence in certain cases.

Chap. 8. An Act respecting Dogs.

Chap. 9. An Act to amend the Drainage, Dyking and Irrigation Act, 1873.

Chap. 10. An Act to amend the British Columbia Line Fences and Water Courses

Act, 1876.

Chap. 11. An Act respecting the exemption of Firemen from Jury duty.

Chap. 12. An Act to further amend the Law of Property, and to relieve

Trustees.

Chap. 13. An Act to amend the Mechanics' Lien Act, 1879.

Chap. 14. Loan Act, 1881.

Chap. 16. An Act to amend and consolidate the Municipal Acts.

Chap. 17. An Act to prevent the indiscriminate sale or use of Poisons.

Chap. 18. An Act to amend the Public Parks Act, 1876.

Chap. 19. An Act granting to John Adair, Junior, and Joseph Hunter, the right to erect a Dam at the outlet of the Quesnelle Lake, and to mine the bed of the South Fork River and other lands.

Chap. 20. An Act to amend the Revenue Act, 1879.

Chap. 21. An Act for granting certain sums of money for the Public Service of the Province of British Columbia.

Chap. 22. An Act to prohibit the owners of swine from permitting the same to run at large.

Chap. 23. An Act to amend the School Tax Act, 1876, and amending Acts.

Chap. 24. An Act to provide for the collection of a Provincial Revenue Tax.

Chap. 25. An Act to enable the Vancouver Coal Mining and Land Company (Limited) to sink Shafts and to construct a Railroad in on or near to the Esplanade at Nanaimo.

Chap. 26. An Act to amend the City of Victoria Official Map Act, 1880.

Chap. 27. An Act to amend the Corporation of Victoria Water Works Act, 1873.

Chap. 28. An Act to encourage the Manufacture of Woollen Goods in British Columbia.

With reference to the Act, chapter 1, intituled: "An Act to carry out the objects of the better Administration of Justice Act, 1873," and the "Judicial District Act, 1879," the undersigned would observe that the provisions of this Act have been objected to by the judges of British Columbia, but in view of the fact that Your Excellency has already sanctioned an Order in Council, under section 7 of the



Act, the exercise of the power of disallowance has in effect been decided against, and this Act should therefore be left to its operation.

Upon the remaining Act, chapter 15, intituled: "An Act to amend the Gold Mining and Mineral Acts," the undersigned has the honor to report that objections have been taken by the judges of British Columbia to the provisions of section 10; but while not expressing the opinion that the provisions of that section are entirely free from objection, the undersigned thinks that those provisions are so clearly connected with the administration of justice in the Province and the jurisdiction of a Provincial court, that the power of disallowance should not be exercised with reference to this Act, and recommends accordingly.

A. CAMPBELL, *Minister of Justice.*

*COPY of a Report of a Committee of the Honorable the Privy Council, approved by His Excellency the Governor General in Council on the 27th June, 1882.*

The Committee of Council have had before them a report dated 13th June, 1882, from the Minister of Justice, upon the Acts passed by the Legislature of British Columbia in the year 1881, 44th Victoria, received by the Secretary of State of Canada on the 21st June, 1881.

On the recommendation of the Minister of Justice, the Committee advise that the power of disallowance be not exercised with respect to any of the said Acts, being chapter 1 to chapter 28 inclusively, and they further advise that the attention of the Lieutenant-Governor of British Columbia be directed to the observations in the report of the Minister of Justice upon chapter 1 and chapter 15 of the said Acts.

JOHN J. MCGEE.

Hon. the Minister of Justice.

## ONTARIO, 1882.

(45 Victoria.)

*CERTIFIED COPY of a Report of a Committee of the Honorable the Privy Council, approved by His Excellency the Administrator of the Government in Council on the 5th of January, 1883.*

On a report dated 22nd of December, 1882, from the Minister of Justice stating that he has had under consideration a dispatch from the Lieutenant Governor of Ontario requesting to be furnished with a copy of the report of the Minister of Justice on the disallowance of an Act of the Legislature of the Province of Ontario passed last Session, entitled: "An Act for protecting the public interest in rivers, streams and creeks"

The Minister observes that such reports have been furnished upon request in previous instances, and he recommends that a copy of the report now asked for be sent to the Lieutenant-Governor.

The Committee submit the above recommendation for Your Excellency's approval.

JOHN J. MCGEE.

*CERTIFIED COPY of a Report of a Committee of the Honorable the Privy Council, approved by His Excellency the Governor General in Council on the 6th March, 1883.*

The Committee of the Privy Council have had before them a report, hereunto attached, dated 13th February, 1883, from the Minister of Justice with respect to the Acts passed by the Legislature of the Province of Ontario in the year 1882, the 45th year of Her Majesty's reign.

On the recommendation of the Minister of Justice, the Committee advise that the power of disallowance be not exercised with respect to any of the said Acts, being chapter 1 to chapter 89, inclusively, save as regards chapter 14, which was disallowed by His Excellency the Governor General in Council, and chapter 87 which

as been reported on, and several of the said Acts upon which the Minister of Justice whilst recommending their being left to their operation has deemed it expedient to make a special report.

JOHN J. MCGEE.

DEPARTMENT OF JUSTICE, OTTAWA, 13th February, 1883.

*To His Excellency the Governor-General in Council.*

The undersigned having had under consideration the Acts of the Legislature of Ontario, passed in the Session of 1882, begs leave to report thereon.

Chap. 14. An Act for protecting the public interest in Rivers, Streams and Creeks, was disallowed by Order in Council passed on the 20th day of September last.

Chap. 87. An Act respecting St. Paul's Church in the Town of Woodstock, is reserved for a separate report.

It is recommended that the remaining Acts, the titles and chapters of which are hereinafter enumerated, be left to their operation; but, in making this recommendation, the undersigned has the honor to submit for consideration a separate report in regard to several of the said Acts.

Chap. 1. An Act for granting to Her Majesty certain sums of money to defray the expenses of Civil Government for the year one thousand eight hundred and eighty-two, and for other purposes therein mentioned.

Chap. 2. An Act respecting the sale of Lands in Algoma for Government Taxes.

Chap. 3. An Act respecting the Upper Canada Land Improvement Fund.

Chap. 4. An Act to amend the Agriculture and Arts Act.

Chap. 5. An Act to establish a Bureau of Industries.

Chap. 6. An Act respecting the Jurisdiction of the Court of Appeal.

Chap. 7. An Act relating to Division Courts in the Districts of Nipissing, Muskoka, Parry Sound and Thunder Bay, and to amend the Division Courts Act.

Chap. 8. An Act to amend the Jurors' Act, and the Jurors' Act of 1879.

Chap. 9. An Act to amend the Law of Newspaper Libel.

Chap. 10. An Act for the removal of certain defects in the Law of Evidence.

Chap. 11. An Act to make provision in regard to certain Legal Matters.

Chap. 12. An Act respecting the Restitution of Stolen Goods.

Chap. 13. An Act to amend the Act respecting Ferries.

Chap. 15. An Act to make further provision respecting the Lien of Mechanics.

Chap. 16. An Act to amend the Act respecting the rights and liabilities of Inn-

keepers.

Chap. 17. An Act to confer additional powers upon Joint Stock Companies.

Chap. 18. An Act to extend the powers of Companies for supplying Cities, Towns and Villages with Gas and Water.

Chap. 19. An Act respecting Companies for supplying Electricity for the purposes of Light, Heat and Power.

Chap. 20. An Act to extend the application of the Fire Insurance Policy Act.

Chap. 21. An Act to provide for the Crossing of Railways by Streets, Drains and

Water Mains.

Chap. 22. An Act to provide for the Establishment of Free Libraries.

Chap. 23. An Act to amend the Municipal Act.

Chap. 24. An Act respecting Market Fees.

Chap. 25. An Act to provide for the construction of Water Works by Cities, Towns and Villages.

Chap. 26. An Act to make further provisions for the construction of Drainage Works by Municipalities.

Chap. 27. An Act respecting unexpended Moneys under the Municipal Loan Fund Settlement.

Chap. 28. An Act to amend Assessment Act.

Chap. 29. An Act to establish a Provincial Board of Health, and to give increased powers to Local Boards of Health.



- Chap. 30. An Act respecting certain amendments in the School Law.
- Chap. 31. An Act to amend the Act respecting the property of Religious Institutions.
- Chap. 32. An Act to amend the Act respecting Lunatic Asylums and the Custody of Insane Persons.
- Chap. 33. An Act to provide for the division of the Township of Grimsby.
- Chap. 34. An Act respecting the Debenture Debt of the City of Guelph.
- Chap. 35. An Act to establish and confirm certain Astronomical Bearings as the true courses of Side Lines in the Township of Harvey.
- Chap. 36. An Act to enable the Agricultural Societies of the Electoral Divisions of East and West Kent to sell certain lands.
- Chap. 37. An Act to legalize, confirm and declare valid certain By-Laws of the Corporation of the City of Kingston.
- Chap. 38. An Act to separate the Township of East Luther from the County of Wellington, and to annex the same to the County of Dufferin.
- Chap. 39. An Act to consolidate the Debenture Debt of the Town of Owen Sound.
- Chap. 40. An Act to incorporate the Town of Penetanguishene.
- Chap. 41. An Act to enable the corporation of the Town of Port Hope to incur liability for the construction and extension of water works, and for other purposes.
- Chap. 42. An Act to declare and confirm the title of the corporation of the Village of Southampton in and to certain lands.
- Chap. 43. An Act to vest certain property in the Stratford High School Board.
- Chap. 44. An Act respecting a certain assessment for local improvements in the Town of Strathroy.
- Chap. 45. An Act to extend and define the limits of the Town of Trenton.
- Chap. 46. An Act respecting By-law number two hundred and seventeen of the County of Wellington.
- Chap. 47. An Act respecting the old Burying Ground of the Town of Wingham.
- Chap. 48. An Act to consolidate the General Debenture Debt of the Village of Yorkville.
- Chap. 49. An Act respecting the Erie and Huron Railway Company.
- Chap. 50. An Act to incorporate the Galt Junction Railway Company.
- Chap. 51. An Act respecting the Leamington and St. Clair Railway Company.
- Chap. 52. An Act to incorporate the London Junction Railway Company.
- Chap. 53. An Act respecting the Debenture Debt of the London and Port Stanley Railway Company.
- Chap. 54. An Act to incorporate the Manitoulin Island Railway Company.
- Chap. 55. An Act to incorporate the Medorite Tramway Company.
- Chap. 56. An Act respecting the Midland Railway of Canada.
- Chap. 57. An Act to incorporate the Mississippi Valley Railway Company.
- Chap. 58. An Act to incorporate the Northern and Northwestern Junction Railway Company.
- Chap. 59. An Act to amend and the Act to incorporate the Port Rowan and Lake Shore Company.
- Chap. 60. An Act to incorporate the Prescott and Glengarry County Junction Railway Company.
- Chap. 61. An Act respecting the Prince Edward County Railway Company.
- Chap. 62. An Act amending the Act incorporating the St. Catharines and Niagara Central Railway Company.
- Chap. 63. An Act to amend the Acts relating to the St. Catharine's Street Railway Company.
- Chap. 64. An Act to amend the Act respecting the St. Mary's Credit Valley and Huron Railway Company.
- Chap. 65. An Act to amend the Act incorporating the Saugeen Valley Railway Company.

Chap. 66. An Act to incorporate the Toronto High Park and Western Tramway Company (Limited).

Chap. 67. An Act to consolidate the Toronto and Nipissing Railway Company, the Whitby, Port Perry and Lindsay Railway Company, the Victoria Railway Company, the Toronto and Ottawa Railway Company, the Grand Junction Railway Company, and the Midland Railway of Canada.

Chap. 68. An Act respecting the Toronto and Nipissing Railway Company.

Chap. 69. An Act to incorporate the Western Counties Railway Company.

Chap. 70. An Act respecting the Weston and Duffin's Creek Railway.

Chap. 71. An Act to confer power upon the Bell Telephone Company of Canada.

Chap. 72. An Act to amend the Acts relating to the Canada Landed Credit Company.

Chap. 73. An Act to amend the present Acts of Incorporation of the City Light and Heating Company of London.

Chap. 74. An Act to authorize the Gananoque Water Power Company to issue Debentures.

Chap. 75. An Act respecting the Gatling Gold and Silver Mining Company.

Chap. 76. An Act respecting the Hawkeye Gold and Silver Mining Company.

Chap. 77. An Act to amend the Act incorporating the Midland Land Company.

Chap. 78. An Act to amend the Charter of the Ontario Trust Company.

Chap. 79. An Act to amend the Act of Incorporation of the Rossin House Hotel Company.

Chap. 80. An Act to amend the Act incorporating the Toronto House Building Association.

Chap. 81. An Act to incorporate the Elgin College.

Chap. 82. An Act to authorize Gilmour and Company to make certain improvements in the River Moira.

Chap. 83. An Act respecting the Ladies' Christian Association of St. Catharines.

Chap. 84. An Act to enable the Trustees of the Methodist Episcopal Congregation, of the Town of Orangeville, to sell certain Lands.

Chap. 85. An Act to further amend the Act to incorporate the Ottawa Ladies' College.

Chap. 86. An Act respecting a Public Hospital and Home for the Friendless, for the City of Belleville.

Chap. 88. An Act respecting the Wesleyan Female College, of Hamilton, Ontario.

Chap. 89. An Act to amend the Act incorporating the Western University of London, Ontario.

A. CAMPBELL, Minister of Justice.

CERTIFIED COPY of a Report of a Committee of the Honorable the Privy Council, approved by His Excellency the Governor-General in Council on the 6th March, 1883.

On a Report dated the 12th February, 1883, from the Minister of Justice, stating that he has had under consideration certain of the Acts passed by the Legislature of Ontario in the year 1882, upon which he deemed it expedient to make a special Report:

The Minister recommends, for the reasons mentioned in his Report, hereunto attached, that a despatch be forwarded to the Lieutenant-Governor of Ontario, communicating the observations of the Minister of Justice for the information of his Government, and for such action as they shall think proper.

The Committee concur in the foregoing Report, and submit the same for Your Excellency's approval.

JOHN J. McGEE.

DEPARTMENT OF JUSTICE, OTTAWA, 12th February, 1883.

To His Excellency the Governor General in Council.

Having had under consideration the Acts passed by the Legislature of Ontario in the Session of 1882, the undersigned observes:



1. That by section 4, chapter 10, "An Act for the removal of certain defects in the Law of Evidence," it is provided that parties to any proceeding instituted in consequence of adultery, and the husbands and wives of such parties shall be competent to give evidence in such proceeding.

This provision should be limited to civil proceedings instituted in consequence of adultery.

2. By chapter 12 "An Act respecting the Restitution of Stolen Goods," it is provided that in case the counsel for the Crown intimates that the Crown does not intend to proceed upon any charge in respect of the property so found in the prisoner's possession, the judge before whom the prisoner was convicted, may, upon the application of the prosecutor or of any other person claiming the property, summarily try, at the same sitting of the court or at any subsequent time, the right of the prisoner and of the claimant to the said property, &c. As the judge would probably, in most cases, have to find the prisoner guilty of a crime before ordering restitution, the authority of the Legislature to pass this Act is not free from doubt.

3. By the seventh sub-section of the second section of chapter 17, "An Act to confer additional powers upon Joint Stock Companies," it is provided that where no special arrangement is made in regard to the rate of interest to be allowed on deposits, the rate shall be 3 per cent.

Provisions relating to interest are found in several other Acts of the Session. By chapters 39 (s. 4), 41 (s. 4), 48 (s. 4) and 53 (s. 3), the several corporations to which the Acts relate are authorized to issue debentures to bear interest at a rate not exceeding 6 per cent.

By chapters 50 (s. 17) and 74 (s. 2), authority is given to pay any rate of interest deemed advisable. The Legislature having authority to authorize the issue of debentures it would follow probably, that the corporations could issue them bearing any lawful rate of interest the corporations deemed advisable.

It might well be that the Legislature would not authorize the issue of debentures, unless a limitation was placed upon the rate of interest, and that it has authority to declare this limitation within lawful rates. But it is submitted that it has no power, either to fix a rate where no contract exists, or to fix a rate in excess of the lawful rate. To test the respective powers of Parliament and the Legislature in this respect, regard must be had to what Parliament may do, as well as to what it has done. Parliament could, if it thought best so to do, declare that no greater rate of interest than 5 per cent. could be taken or given. If that were done all the Acts referred to would be objectionable.

Before leaving chapter 17 it is proper to observe that the propriety of the Legislature enacting, as is done in the 13th section, that an offender, "besides being subject to such criminal punishment as is authorized for his offence," shall be civilly liable, is at least doubtful.

4. Chapter 23, "An Act to amend the Municipal Act."

By section 12 authority is given to the Councils of cities, towns and incorporated villages to pass By-laws for appointing inspectors and providing for the inspection of milk, meat, poultry, fish and other natural products offered for sale for human food or drink, whether on the streets, or in public places, or in shops.

Those provisions to some extent conflict with the powers of Parliament to legislate in regard to the regulation of trade and commerce. Parliament has already legislated in regard to the inspection of certain articles mentioned in this section, (sec. 37 Vic., chap. 45).

5. By sec. 15, chap. 50, "An Act to incorporate the Galt Junction Railway Company," it is provided that aliens as well as British subjects and whether resident in this Province or elsewhere may be shareholders in this company. The same provision is found in the following Acts now under consideration, viz:—Chaps. 52 (sec. 15), 57 (sec. 12), 58 (Sec. 12), 60 (sec. 21), 67 (sec. 10) and 69 (sec. 13).

This provision is not objectionable in itself, but only in respect of the fact that it is legislation in regard to aliens. It purports to affect their status and to remove a disability. For similar legislation by Parliament, see 44 Vic., chap. 13, not yet

brought into force. It should be observed, however, that Acts containing provisions similar to those found in sec. 15 of chap. 50 referred to, have been allowed to go into operation without comment. Neither is there in the opinion of the undersigned any objection to leaving them as well as the other Acts referred to to be dealt with by the courts.

It is therefore recommended that in case these observations are approved of they be communicated to the Lieutenant-Governor of Ontario for the information of his Government, and for such action as they shall think proper.

A. CAMPBELL, *Minister of Justice.*

*CERTIFIED COPY of a Report of a Committee of the Honorable the Privy Council, approved by His Excellency the Governor General in Council on the 16th March, 1883.*

On a report dated 13th March, 1883, from the Minister of Justice, stating that amongst the Acts of the Legislature of the Province of Ontario, passed at the last Session thereof, is one entitled "An Act to protect the public interest in Rivers, Streams and Creeks." This Act is a transcript of one passed under the same title in the Session of 1882, and of another passed in the preceding Session, 1881, both of which have been disallowed by order of Your Excellency in Council on the 20th September, 1882, and 9th May, 1881, respectively.

The Minister recommends that inasmuch as the Act hereinbefore first referred to is in every respect the same as those of the previous Sessions, it be disallowed.

The Committee advise that the Act be disallowed accordingly.

JOHN J. MCGEE.

GOVERNMENT HOUSE, OTTAWA, 16th day of March, 1883.

Present:—His Excellency the Governor General in Council.

Whereas the Lieutenant-Governor of the Province of Ontario, with the Legislative Assembly of that Province did, on the 1st day of February, 1883, pass an Act which has been transmitted, entitled as follows, viz:—

"An Act for protecting the Public Interest in Rivers, Streams and Creeks;"

And whereas the said Act has been laid before the Governor General in Council, together with a report from the Minister of Justice recommending that the said Acts should be disallowed;

His Excellency the Governor General has thereupon this day been pleased by and with the advice of the Queen's Privy Council for Canada to declare his disallowance of the said Act, and the same is disallowed accordingly.

Whereof the Lieutenant Governor of the Province of Ontario, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

JOHN J. MCGEE.

I, Sir John Douglas Sutherland Campbell, commonly called the Marquis of Lorne, Governor General of Canada, do hereby certify that the Act passed by the Legislature of Ontario, the 1st day of February, 1883, entitled: "An Act for protecting the Public Interest in Rivers, Streams and Creeks," was received by me on the 12th day of March, A.D. 1883.

Given under my hand and seal this 16th day of March, 1883.

LORNE.

*CERTIFIED COPY of a Report of a Committee of the Honorable the Privy Council, approved by His Excellency the Governor General in Council on the 6th March, 1883.*

On a Report dated 13th February, 1883, from the Minister of Justice, submitting that he has had under consideration the petition of the churchwardens of St. Paul's Church, Woodstock, Ontario, praying that an Act of the Ontario Legislature passed in the Session of 1882, being chapter 87, intituled, "An Act respecting St. Paul's Church in the Town of Woodstock," be disallowed:



The Minister states that the grounds of objection taken by the churchwardens are as follows, viz:—

"1. Because the said Act is *ultra vires* the Legislature of Ontario inasmuch as the Dominion Parliament has control of all endowments or property granted under such patents.

"2. The recital or preamble of the said Act is incorrectly set forth in describing the Patent dated 16th January, 1836.

"3. The said Act recites, 'and whereas there has been commenced an action in the Chancery Division of the High Court of Justice against the incorporated Synod of the Diocese of Huron in which the boundaries of the said rectory are called in question;' therefore the said Act interfered with parties engaged in litigation, and while such litigation was still *sub judice*, the following extracts from the said Act show.

"The limits of the said parsonage or rectory created by the said Patent are hereby defined to have always been, &c., and shall be so held to be, and have in the said action.

"4. That the legislation embodied in the said Act is contrary to sound principles of legislation because it is *ex post facto* in operation."

The Minister has no doubt that the Act is within the legislative authority of the Legislature, and it is only necessary for him to consider the other grounds raised by the petitioners, as to which he is of opinion that the Act is objectionable in two points, namely,

(1) That it was passed while the matter was under the consideration of the courts, and (2) because it is *ex post facto* in its operation.

In the preamble of the Act there is the following recital:—

"Whereas the matter of the said petition came on to be heard before a Committee of the said Assembly, duly constituted in that behalf, when all parties interested in the said matter were heard before the said Committee, and it was then agreed before the said Committee by all the said parties that on the consent of the Lord Bishop of Huron being given to such petition all opposition should be withdrawn to any subsequent legislation necessary to effect that purpose, and whereas there has been commenced an action in the Chancery Division of the High Court of Justice against the incorporated Synod of the Diocese of Huron in which the boundaries of the said rectory are called in question, and whereas the Lord Bishop of Huron has in writing assented to the said limits being so defined, and the said rector, vestry, and churchwardens have again petitioned to have the said boundaries so defined, and that the Act so to be passed shall apply to the said suit, and it is expedient to grant the prayer of such petition."

The Minister observes that as against that recital it is alleged in the petition to the Legislative Assembly of Ontario attached to the petition now under consideration,

That "Contrary to the spirit of the agreement come to before the Private Bills Committee, the promoters of the Bill procured His Lordship's assent to the procuring of legislation defining the limits of the said rectory without properly representing the matters in dispute to His Lordship, and without reference to the opponents of the Bill who had no opportunity of laying their views before His Lordship prior to his assenting to the proposed legislation."

The Minister states that there is nothing from the Lord Bishop of Huron corroborating this, or showing that he consented to the limits as established by this Act in ignorance of the real rights of all the parties.

The Minister in view of these facts, recommends that the Act be left to its operation, but that the duplicates of the papers be transmitted to the Lieutenant-Governor of the Province of Ontario for the consideration of his Government.

The Committee concur in the foregoing report, and the recommendation therein set forth of the Minister of Justice, and they submit the same for your Excellency's approval.

JOHN J. McGEE.

## QUEBEC, 1882.

(45 Victoria.)

*CERTIFIED COPY of a Report of a Committee of the Honorable the Privy Council, approved by His Excellency the Governor General in Council on the 7th June, 1883.*

The Committee of the Privy Council have had before them a Report dated 5th June, 1883, from the Minister of Justice, with respect to the Acts passed by the Legislature of the Province of Quebec in the Session of 1882, the 45th year of Her Majesty's reign.

On the recommendation of the Minister of Justice, the Committee advise that the power of disallowance be not exercised with respect to any of the said Acts, being chapters 1 to 108, inclusive, and they further advise that the observations of the Minister of Justice on several of the said Acts be communicated to the Lieutenant-Governor of Quebec for the consideration of his Government, to the end that they may invite such legislation at the next Session of the Quebec Legislature as will meet the amendments suggested.

JOHN J. MCGEE.

OTTAWA, 5th June, 1883.

*To His Excellency the Governor General in Council.*

The undersigned has had under consideration the Acts passed by the Legislature of the Province of Quebec in the Session of 1882, the Titles and Chapters of which are as follows:—

Chap. 1. An Act granting to Her Majesty the Moneys required for the expenses of the Government for the financial years ending on the 30th June, 1882, and on the 30th June, 1883, and for other purposes connected with the Public Service.

Chap. 2. An Act respecting the Executive Council.

Chap. 3. An Act relating to the Speaker of the Legislative Council.

Chap. 4. An Act to facilitate the intervention of the Crown in Civil Cases in which the constitutionality of Federal or Provincial Acts is in question.

Chap. 5. An Act to amend the Quebec Interpretation Act, (31 Vict., cap. 7).

Chap. 6. An Act to remove certain disabilities arising from infringement of "The Quebec Election Act."

Chap. 7. An Act to abolish the property qualification of Members of the Legislative Assembly of Quebec.

Chap. 8. An Act to further amend the Act 41 Victoria, Chapter 5, amending the Act 32 Victoria, Chapter 15, respecting Agriculture and Public Works.

Chap. 9. An Act to amend the Quebec License Law of 1878, (41 Vict., chap. 3).

Chap. 10. An Act to amend the Acts respecting the Sale and Management of Public Lands.

Chap. 11. An Act to amend the Act 34 Victoria, Chapter 19, respecting the Clearing of Lands and the protection of Forests against Fires.

Chap. 12. An Act for the protection of Settlers.

Chap. 13. An Act to encourage the Planting of Forest Trees.

Chap. 14. An Act to amend "The Quebec General Mining Act of 1880."

Chap. 15. An Act to amend and consolidate the General Laws of this Province.

Chap. 16. An Act respecting the Land Surveyors of the Province of Quebec, and the Survey of Lands.

Chap. 17. An Act respecting the percentage payable by Public Officers on their fees.

Chap. 18. An Act authorizing the issue of Provincial Debentures.

Chap. 19. An Act ordering and confirming the sale of that part of the Quebec, Montreal, Ottawa and Occidental Railway extending from Montreal to St. Jerome, Aymer and the City of Ottawa.



Chap. 20. An Act to order and confirm the sale of that portion of the Quebec, Montreal, Ottawa and Occidental Railway known as the Eastern Section, and extending from St. Martin's Junction to the City of Quebec.

Chap. 21. An Act appropriating the price of the Quebec, Montreal, Ottawa and Occidental Railway to the payment of the consolidated debt of the Province.

Chap. 22. An Act to impose certain direct taxes on certain commercial corporations.

Chap. 23. An Act to grant subsidies for the construction of certain railways.

Chap. 24. An Act respecting the subsidy granted to the Beet Sugar Company of the Province of Quebec, and the bonus to be paid out of such grant for the culture of beet roots.

Chap. 25. An Act respecting the Building and Jury Fund.

Chap. 26. An Act respecting the building of the Court House of Quebec.

Chap. 27. An Act to amend the Act, 24 Vic., chap. 26, and other Acts, respecting the Recorder's Court of the City of Quebec.

Chap. 28. An Act to authorize the Catholic School Commissioners of the Town of Sorel to contract certain loans.

Chap. 29. An Act to permit the School Commissioners and Trustees of this Province to remit the school taxes in certain cases and for other purposes.

Chap. 30. An Act to amend the Acts respecting the notarial profession.

Chap. 31. An Act to render valid certain notarial deeds.

Chap. 32. An Act to amend the Act 42, 43, Vic., chap. 37, respecting the profession of Medicine and Surgery.

Chap. 33. An Act to amend article 494 of the Code of Civil Procedure of Lower Canada.

Chap. 34. An Act to amend article 556 of the Code of Civil Procedure.

Chap. 35. An Act to further amend the Municipal Code of the Province of Quebec.

Chap. 36. An Act to amend certain provisions of the Municipal Code.

Chap. 37. An Act to amend chapter 71 of the Consolidated Statutes of Canada, and the Act of this Province, 32 Vic., chap. 43.

Chap. 38. An Act respecting the legalizing and the custody of registers of burial kept by the Congregation of Notre Dame de Montreal at Villa Maria.

Chap. 39. An Act to complete the provisions respecting the civil erection of the parishes of Montreal.

Chap. 40. An Act to detach the townships of Wolfe, Salaberry and Grandison, situated in the County of Argenteuil, and to annex them to the County of Terrebonne for electoral judicial registration, and all other purposes whatsoever.

Chap. 41. An Act to civilly erect the parish of Notre Dame des Anges de Montaubon, in the County of Portneuf, and the parish of Saint Cajétan d' Armagh, in the County of Bellechasse.

Chap. 42. An Act to detach "Hare Island" from the County of Charlevoix and annex it to the County of Kamouraska.

Chap. 43. An Act to erect the parish of St. Anastasie de Nelson into a separate municipality.

Chap. 44. An Act to detach from the parish of Varennes, County of Verchères, three islands in the River St. Lawrence, and to annex the same to the parish of Repentigny, County of L'Assomption, for electoral, municipal, scholastic and other purposes.

Chap. 45. An Act to establish the position and extent of certain ranges in the township of Irving.

Chap. 46. An Act to establish the position of certain lines in the township of West Chester.

Chap. 47. An Act to amend and supplement the Act respecting the declaration to be made by incorporated companies (40 Vic., chap. 15).

Chap. 48. An Act to permit companies incorporated by special statutes to increase their capital stock.

- Chap. 49. An Act to provide for the inspection of Provincial Insurance Companies.
- Chap. 50. An Act to amend the Act 24 Vic., chap. 32, respecting Mutual Insurance Companies.
- Chap. 51. An Act respecting Mutual Fire Insurance Companies.
- Chap. 52. An Act to incorporate the Wentworth Railway Company.
- Chap. 53. An Act to incorporate "The Baie des Chaleurs Railway Company."
- Chap. 54. An Act to incorporate the Three Rivers and North-western Railway Company.
- Chap. 55. An Act to amend the Act incorporating "The North Shore Railway and Tunnel Company."
- Chap. 56. An Act to incorporate the Longueil Wharf and Elevator Company.
- Chap. 57. An Act to incorporate the "Ottawa Colonization Railway Company."
- Chap. 58. An Act to incorporate "The Leeds and Eastern Townships Railway Company."
- Chap. 59. An Act to authorize the St. Andrews Junction Railway Company to amalgamate with other Companies and to issue Mortgage Bonds.
- Chap. 60. An Act to grant further powers to the "Turnpike Road Company of Isle Jesus," and to authorise it to increase its capital.
- Chap. 61. An Act to incorporate the St. Hyacinthe Macadamizing Company.
- Chap. 62. An Act to amend the Act 41 Vic., chap. 52 incorporating the Beet Sugar Company of the Province of Quebec.
- Chap. 63. An Act to enable the Pioneer Beet Root Sugar Company to increase its capital and to borrow money upon debentures.
- Chap. 64. An Act to enable the Liverpool and Globe Insurance Company to contract, and to sell and to be sold, in the Province of Quebec, in the name of the Company, and for other purposes.
- Chap. 65. An Act respecting Societies and Establishments, in this Province, for the manufacture of butter or cheese, or of both combined.
- Chap. 66. An Act to authorize the formation of a Society under the name of the "Industrial Dairy Society of the Province of Quebec."
- Chap. 67. An Act to incorporate the "French Phosphate Company of Canada."
- Chap. 68. An Act to incorporate "The Canada Lime and Phosphate Company."
- Chap. 69. An Act to incorporate the Agricultural and Manufacturing Company of Temiscouata."
- Chap. 70. An Act to incorporate the Quebec Mineral Working and Forwarding Company.
- Chap. 71. An Act to incorporate "The Island of Orleans Mining Company."
- Chap. 72. An Act to incorporate "The Sherbrooke Iron Manufacturing Company."
- Chap. 73. An Act to incorporate the "Sherbrooke Mining and Smelting Company."
- Chap. 74. An Act to amend the Act incorporating the Quebec and Lake Superior Mining Association.
- Chap. 75. An Act to change the name of "The Lawlor Manufacturing Company" into that of "The Belmont Manufacturing Company."
- Chap. 76. An Act to amend the Act incorporating the French Canadian Artizans' Society of the City of Montreal (40 Vic., chap. 63).
- Chap. 77. An Act to incorporate the "Rolland Paper Company."
- Chap. 78. An Act to incorporate the Montreal General Trust Company.
- Chap. 79. An Act to incorporate the St. Hyacinthe Gas Company.
- Chap. 80. An Act to amend the Act incorporating The Canadian Electric Light Company.
- Chap. 81. An Act to confirm the fifty years' privilege granted to the Louiseville Water Works Company by the Municipal Council of the Town of Louiseville.
- Chap. 82. An Act to authorize the Montreal Abattoir Company to borrow money and issue debentures.
- Chap. 83. An Act to incorporate the St. Maurice Driving and Rafting Company.



- Chap. 84. An Act to amend the charter of the Credit Foncier Franco-Canadien.  
 Chap. 85. An Act to incorporate Le Credit Mobilier et Agricole de Québec.  
 Chap. 86. An Act to incorporate the Credit Mobilier Canadien.  
 Chap. 87. An Act respecting the administration of the property of the Roman Catholic Bishop of Montreal, in the Province of Lower Canada.  
 Chap. 88. An Act to authorize the Church Society of the Diocese of Quebec to consolidate certain endowment funds.  
 Chap. 89. An Act to incorporate Le Collège Commercial de Varennes.  
 Chap. 90. An Act to amend the Act 24 Victoria, chapter 109, to incorporate Morrin College, Quebec.  
 Chap. 91. An Act to incorporate L'Academie des Garçons de St. Joseph de Lévis.  
 Chap. 92. An Act to incorporate the West End Free Dispensary.  
 Chap. 93. An Act to incorporate the Hospice de St. Joseph de la Délivrance.  
 Chap. 94. An Act to incorporate L'Orphelinat de Marieville.  
 Chap. 95. An Act to incorporate La Trappe de Notre Dame du Lac des Deux Montagnes.  
 Chap. 96. An Act to incorporate L'Union St. Joseph de St. Césaire.  
 Chap. 97. An Act to incorporate The Septuor Haydn, of Quebec.  
 Chap. 98. An Act to incorporate the Sherbrooke Turf Club.  
 Chap. 99. An Act to incorporate the Quebec Hotel Company.  
 Chap. 100. An Act to further amend the Acts relating to the incorporation of the City of Quebec.  
 Chap. 101. An Act to amend the Act of incorporation of the City of Three Rivers, 38 Vic., chap. 76.  
 Chap. 102. An Act to amend the various Acts relating to the incorporation of the Town of Sorel.  
 Chap. 103. An Act to incorporate the City of Richmond.  
 Chap. 104. An Act to further amend the provisions of the various Acts relating to the Incorporation of the Town of Lachine.  
 Chap. 105. An Act to authorize and empower Jean Cyrille Bédard to construct and maintain booms across the River St. Francis near "Maher's Mills," in the Township of Melbourne, in the County of Richmond, and for other purposes.  
 Chap. 106. An Act to incorporate the Drummondville Bridge Company.  
 Chap. 107. An Act to authorize Jean Baptiste Roy and others of the parish of St. Francis, in the District of Montmagny, to erect a bridge on the Rivière du Sud in the said parish and for other purposes.  
 Chap. 108. An Act to extend the privileges and powers of the St. Francis Bridge Company.

While respectfully recommending that the said Acts be left to their operation the undersigned desires to observe:

(1.) That in Acts authorizing municipal and other corporations to borrow money, it is convenient for local legislatures to give power to pay interest, and also to limit the rate of interest which the corporation may pay, probably no objection exists to a local legislature enacting that a corporation may pay any rate that may be legally agreed upon, or that it may pay a fixed rate within the maximum rate at the time lawfully established. In a number of Acts of this Session there are provisions of this kind where the power of Parliament to legislate on the subject of interest is in this way indirectly recognised.

In other cases it is not. It is desirable in all cases that Acts of the Local Legislature should be so drawn as to recognize the fact that Parliament has the exclusive legislative authority over the subject of interest.

(2.) By the 1st section of chapter 4, intituled, "An Act to facilitate the intervention of the Crown in civil cases, in which the constitutionality of Federal or Provincial Acts is in question," It is provided as follows:—

"No question as to constitutionality of any Act of the Province or of the Federal Parliament shall be raised before the courts of original jurisdiction or of appeal, unless the party raising the same shows to the court that he has, at least, eight days

before the day fixed for the hearing given notice to the Attorney-General of the question which he intends to raise with sufficient information to enable him to understand the nature of his pretensions; upon such notice the Attorney-General may intervene in the case on behalf of the Crown, and take issue in writing on such questions, and the judgment of the court, whether it grant or refuse his conclusions, shall mention such intervention and such conclusions on which it shall render judgment as if the Attorney-General were party to the suit, and a copy of such judgment shall be forwarded without delay to the Attorney-General.

So far as this section deals with Acts of Parliament, it is, in the opinion of the undersigned, objectionable, to say nothing more, and ought to be amended by striking out the words, "or of the Federal Parliament."

3. Chapter 9, An Act to amend the Quebec License Law of 1878 (41 Vic., chap. 3), is, in the opinion of the undersigned, *ultra vires* of the Local Legislature.

Attention has been frequently called to Acts of this class, but hitherto they have been left to their operation. Now that Parliament has legislated upon the subject, it will become necessary to consider the question of disallowing legislation by the Local Legislatures on this subject in excess of their powers.

However, as the Act under consideration was passed before the decision in *Russell vs. The Queen*, it may, it is thought, together with the Act of which it is an amendment, be left to fall by the decisions of the courts, and it is not necessary to disallow it.

4. A petition has been received from certain insurance companies doing business at Montreal, praying for the disallowance of chap. 22, intituled, "An Act to impose certain Direct Taxes on certain Commercial Corporations."

As the question of the validity of this Act is now before the courts, it is unnecessary to consider the grounds upon which the petitioners urge that it is outside the legislative authority of the Legislature, or to express any opinion in regard thereto.

It ought, in the opinion of the undersigned, for the present be left to its operation and for judicial decision.

5. With respect to the 2nd section of chap. 35, intituled: "An Act to further amend the Municipal Code of the Province of Quebec," the undersigned is of opinion that to apply the provisions of the law therein quoted to Federal Government Railways is beyond the power of the Provincial Legislature. The section should be so amended as to exclude Government Railways the property of the Dominion.

6. By the 12th sub-section of the 23rd section of chapter 103, intituled: "An Act to incorporate the Town of Richmond," the Town Council is given power to make by-laws to restrain, regulate or prohibit the sale of any spirituous, alcoholic or intoxicating liquors within the limits of the town.

The observations in regard to chapter 9 apply to this provision. If these observations are approved of, the undersigned recommends that the substance of them be communicated to the Lieutenant-Governor of Quebec, for the consideration of his Government, to the end that they may invite such legislation at the next Session of the Quebec Legislature as will meet the amendments suggested.

A. CAMPBELL, *Minister of Justice.*

NOVA SCOTIA, 1882.

(45 Victoria.)

CERTIFIED COPY of a Report of a Committee of the Honorable the Privy Council, approved by His Excellency the Governor General in Council on the 26th February, 1883.

The Committee of the Privy Council have had under consideration a Report dated 13th February, 1883, from the Minister of Justice with respect to the Acts passed by the Legislature of the Province of Nova Scotia in the Session of 1882, the 45th year of Her Majesty's Reign.

On the recommendation of the Minister of Justice, the Committee advise that the power of disallowance be not exercised with respect to any of the said Acts, being



chapter 1 to chapter 90 inclusively, and they further advise that the attention of the Lieutenant-Governor of Nova Scotia be directed to the observations of the Minister of Justice, and more especially upon the provisions of chapters 61 and 73 respectively.

JOHN J. McGEE.

DEPARTMENT OF JUSTICE, OTTAWA, 13th February, 1883.

*To His Excellency the Governor General in Council.*

The undersigned having had under consideration the following Acts passed by the Legislature of the Province of Nova Scotia in the Session of 1882, recommends that they be left to their operation.

Chap. 1. An Act further to amend the County Incorporation Act of 1879.

Chap. 2. An Act to facilitate the disposal of arrears in the Docket of the Supreme Court of Nova Scotia and for other purposes.

Chap. 3. An Act to remove disqualifications of judges, justices and other judicial officers in certain cases.

Chap. 4. An Act to amend the laws relating to Crown Lands.

Chap. 5. An Act to amend chapter 9 of the Revised Statutes, 4th series, "Of Mines and Minerals."

Chap. 6. An Act to amend chapter 10 of the Revised Statutes, 4th series, "Of the Regulations of Mines."

Chap. 7. An Act to amend chapter 23 of the Revised Statutes, "Of Townships, certain County and Township officers."

Chap. 8. An Act to amend chapter 32, Revised Statutes, "Of Public Instruction."

Chap. 9. An Act to amend chapter 40, Revised Statutes, "Of Commissioners of Sewers, and of Dyked and Marsh Lands."

Chap. 10. An Act to amend chapter 103 of the Revised Statutes, 4th series, "Of the Sale of Lands under Foreclosure of Mortgage."

Chap. 11. An Act further to amend the laws relating to Elections.

Chap. 12. An Act to confirm the Rota made for the present year, under the Act for the prevention of corrupt practices at Elections.

Chap. 13. An Act to amend the Act for the prevention of frauds on creditors by secret Bills of sale.

Chap. 14. An Act to extend the right of taking security of Guarantee Companies.

Chap. 15. An Act to amend the Act to amend and consolidate the Laws relating to the "Preservation of useful Birds and Animals."

Chap. 16. An Act to amend Chapter 27 of the Acts of 1879, entitled "An Act relating to the taxation of Cotton Mills."

Chap. 17. An Act in relation to the Education of the Blind.

Chap. 18. An Act to prevent and punish Wrongs to Children.

Chap. 19. An Act to legalize Jury Lists and Panels, and Assessment Rolls for the present year.

Chap. 22. An Act to amend the Acts relating to the Nietaux and Atlantic Railway.

Chap. 23. An Act to incorporate the Great American and European Short-Line Railway Company.

Chap. 24. An Act for defraying certain expenses of the Local Government of this Province.

Chap. 25. An Act to amend Chapter 81 of the Acts of 1864, entitled "An Act concerning the City of Halifax," and the Acts in amendment thereof.

Chap. 26. An Act to amend certain Acts relating to the City of Halifax.

Chap. 27. An Act to authorize the completion of the North Common Sewer in the City of Halifax

Chap. 28. An Act to incorporate, for certain purposes, the Senate of the Presbyterian College, Halifax.

Chap. 29. An Act to authorize a Loan for the Municipality of Annapolis.

- Chap. 30. An Act to authorize the sale of a portion of the Town Marsh at Annapolis.
- Chap. 31. An Act to amend Chapter 48 of the Acts of 1877, relating to Electoral Districts in the County of Colchester.
- Chap. 32. An Act to authorize the sale of Union Church, at De Bert, in the County of Colchester.
- Chap. 33. An Act to enable the Municipality of Cumberland to assess the Amherst Fire District for certain purposes.
- Chap. 34. An Act to change the name of the Settlement of Goose River, in the County of Cumberland.
- Chap. 35. An Act to change the name of a Settlement in the County of Cumberland.
- Chap. 36. An Act to amend the Act to authorize the removal of an Aboiteau across the La Planche River.
- Chap. 37. An Act to enable the Town of Dartmouth to grant a subsidy and levy an assessment for the same, in aid of the extension of the railway into the town.
- Chap. 38. An Act to establish an additional Polling District in the County of Guysborough.
- Chap. 39. An Act to provide for the rebuilding of Milford Haven Bridge, in the County of Guysborough.
- Chap. 40. An Act to divide a Polling District in the County of Hants.
- Chap. 41. An Act to add a Polling District in the County of Inverness.
- Chap. 42. An Act to change the Boundaries of Polling Districts in the County of Inverness.
- Chap. 43. An Act to authorize the Municipality of the County of Inverness to borrow money.
- Chap. 44. An Act to provide for the Return of Writs of Summons and Writs of Execution, in the County of Lunenburg.
- Chap. 45. An Act to amend the Act to incorporate the Town of New Glasgow.
- Chap. 46. An Act to further amend the Act to incorporate the Town of New Glasgow.
- Chap. 47. An Act to further amend the Act to incorporate the Town of Pictou, and the Act in amendment thereof.
- Chap. 48. An Act further to amend the Act concerning Electoral Districts in the County of Queens.
- Chap. 49. An Act to add a Polling District in the Municipality of Barrington, County of Shelburne.
- Chap. 50. An Act to amend the Acts for the reconstruction of Polling Districts in the Municipality of Shelbourne.
- Chap. 51. An Act to enable the Municipality of Shelbourne, in the County of Shelbourne, to borrow money.
- Chap. 52. An Act to establish an additional Polling District in the County of Victoria.
- Chap. 53. An Act to amend chapter 47 of the Acts of 1881, entitled: "An Act to provide for supplying the Town of Windsor with water."
- Chap. 54. An Act to legalize the proceedings of a school meeting in the County of Yarmouth.
- Chap. 55. An Act to amend chap. 30 of the Acts of 1865, entitled an Act to enlarge the powers of the trustees, governors and fellows of Acadia College.
- Chap. 56. An Act to incorporate the Annapolis Royal Rink Company, limited.
- Chap. 57. An Act to consolidate and amend the Acts relating to the Roman Catholic Episcopal Corporation of Arichat.
- Chap. 58. An Act to incorporate the Atlantic Sugar House Company, limited.
- Chap. 59. An Act to confer certain powers on the Bell Telephone Company of Canada.
- Chap. 60. An Act to incorporate the Cranberry Gold Mining Company.
- Chap. 61. An Act to incorporate the Eastern Development Company, limited.



- Chap. 62. An Act to incorporate the Gates Organ and Piano Company, limited.
- Chap. 63. An Act to incorporate the Hopewell Woollen Mills Company, limited.
- Chap. 64. An Act to amend the Act to incorporate the Alumni of King's College, Windsor.
- Chap. 65. An Act to confirm the admission of William B. McSweeney to the Bar of Nova Scotia.
- Chap. 66. An Act to incorporate the Draw Cut Mower Company, limited.
- Chap. 67. An Act to incorporate the Micmac Mining Company, limited.
- Chap. 68. An Act to incorporate the Nictaux Iron and Steel Company, limited.
- Chap. 69. An Act to incorporate the Nova Scotia Cotton Manufacturing Company, limited.
- Chap. 70. An Act to amend the Act to incorporate the Nova Scotia Sugar Refinery, limited.
- Chap. 71. An Act to incorporate the Trustees of Oak Island Cemetery, Maitland.
- Chap. 72. An Act to incorporate the Mystic Lodge, No. 18, Independent Order of Oddfellows.
- Chap. 73. An Act to incorporate the Pictou Oil Company.
- Chap. 74. An Act to incorporate the Grand Council of the Provincial Workman's Association.
- Chap. 75. An Act to incorporate the Round Hill Woodenware Company, limited.
- Chap. 76. An Act to incorporate the St. Croix Woollen Manufacturing Company, limited.
- Chap. 77. An Act to incorporate the Governor of St. François Xavier's College.
- Chap. 78. An Act to incorporate the Shelbourne Sheep-raising Company, limited.
- Chap. 79. An Act to incorporate the Welcome Lodge of British Templars, Shubenacadie.
- Chap. 80. An Act to incorporate the North Sydney Gas and Electric Light Company, limited.
- Chap. 81. An Act to incorporate the North Sydney Water Works Company, limited.
- Chap. 82. An Act to incorporate the Hardwood Hill Cemetery Company, Sydney.
- Chap. 83. An Act to revive and amend the Act to incorporate the Sydney Coal Mining Company.
- Chap. 84. An Act to incorporate the Sydney Gas and Electric Light Company, limited.
- Chap. 85. An Act to incorporate the Sydney Water Works Company, limited.
- Chap. 86. An Act to amend the Act to incorporate the Uniacke Union Gold Mining Company.
- Chap. 87. An Act to provide for winding up the affairs of the Victoria Coal Mining Company.
- Chap. 88. An Act to incorporate the Trustees of the Milton Baptist Church, Yarmouth.
- Chap. 89. An Act to incorporate the Yarmouth Gas Light Company.
- Chap. 90. An Act to incorporate the Yarmouth Woollen Mill Company.
- In regard to chapter 20, intituled: "An Act for the consolidation of the Nova Scotia Railways," and chapter 21, intituled: "An Act to amend the Nova Scotia Railway Act of 1880, and the Act in amendment thereof," the undersigned observes that they were left to their operation by Order in Council of the 24th April last.
- Subsequently the Windsor and Annapolis Railway Company petitioned for the disallowance of chapter 20, but by Order in Council of the 6th October last it was determined to take no further action in respect thereof.
- The undersigned recommends that the attention of the Lieutenant-Governor of Nova Scotia be called to the provisions of chapter 61, intituled:

An Act to incorporate the Eastern Development Company (limited), and chapter 73, intituled:

An Act to incorporate the Pictou Oil Company.

These Acts purport to give the companies incorporated by them very large and general powers, among others to build, own and possess ships and steamboats to carry merchandize, supplies and products to and from the site of the company's operations, and for all other purposes.

Admitting for the present that the incorporation of a company to own ships within the Province is a Provincial object, the authority should be given with such limitations as not to conflict with section 91, paragraph 29, and section 92, paragraph 10, of the British North America Act, 1867.

A. CAMPBELL, *Minister of Justice.*

DEPARTMENT OF JUSTICE, OTTAWA, 22nd March, 1883.

*To His Excellency the Governor General in Council.*

The undersigned has had under consideration a petition of the Nova Scotia Railway Company, asking for the disallowance of two Acts lately passed by the Legislature of the Province of Nova Scotia, and intituled respectively: "An Act respecting Eastern Extension Railway," and "An Act to authorize the raising of a Provincial Loan, and for other purposes." He has also had under consideration a memorial from Messrs. White & Fielding, members of the Government of Nova Scotia, at present in Ottawa on public business, requesting that the said Acts be confirmed.

Having carefully considered the Acts in question, the undersigned is of opinion that they are within the legislative authority of the Legislature of Nova Scotia.

On enquiry he is informed by the Minister of Railways and Canals that there is no objection to them on grounds touching the general railway policy of the Government, and he would therefore respectfully recommend that they be left to their operation.

The undersigned further recommends that in case this report is approved, the Nova Scotia Railway Company and Messrs. White & Fielding be informed of the action taken.

A. CAMPBELL, *Minister of Justice.*

NEW BRUNSWICK, 1882.

(45 Victoria.)

*CERTIFIED Copy of a Report of a Committee of the Honorable the Privy Council, approved by His Excellency the Governor General in Council on the 26th February, 1883.*

The Committee of the Privy Council have had before them a Report, hereunto attached, dated the 13th February, 1883, from the Minister of Justice with respect to the Acts of the General Assembly of the Province of New Brunswick, passed in the Session of 1882, the 45th year of Her Majesty's Reign.

On the recommendation of the Minister of Justice, the Committee advise that the power of disallowance be not exercised with respect to any of the said Acts therein enumerated being chapter 1 to 100 inclusively, save as regards chapters 9, 69 and 87, which have been reserved for a special report.

JOHN J. MCGEE.

DEPARTMENT OF JUSTICE, OTTAWA, 13th February, 1883.

*To His Excellency the Governor General in Council.*

The undersigned has had under consideration the following Acts of the General Assembly of the Province of New Brunswick passed in the year 1882, viz:—



Chap. 9. An Act in amendment of chapter 51 of the Consolidated Statutes of County Courts.

Chap. 69. An Act to incorporate the Fredericton and Saint Mary's Bridge Company.

Chap. 87. An Act to revive, continue and amend the several Acts relating to the Courtenay Bay Bridge Company.

The effect of the 1st section of chapter 9, if within the legislative authority of the Legislature is to remove from their offices the Judge of the King's County Court and the Judge of the Albert County Court.

This it is submitted the Legislature has no power to do, but as these judges subsequently to the coming into force of the Act, voluntarily resigned their respective offices, and commissions have been issued making the necessary appointments, the Act may be left to its operation.

By chapter 69 the Company thereby incorporated the Fredericton and Saint Mary's Bridge Company is given authority to bridge the River Saint John at Fredericton, and it is provided by the 2nd section that the bridge shall be so constructed as not to interfere with the navigation of the River Saint John.

The 17th section is in the following words, viz.: "Nothing herein contained shall be construed to authorize the company, in the erection of the said bridge, to interfere with the navigation of the River St. John, except so far as may be absolutely necessary for the proper carrying on of the work."

It is clear from this clause that the Legislature are of opinion that the bridge cannot be constructed without any interference with the navigation of the river. This interference the Legislature has no power to authorize.

By 45 Vic., chap. 37, intituled: "An Act respecting Bridges over Navigable Waters constructed under the authority of Provincial Acts," Parliament has made provision whereby, on the site being approved by the Governor General in Council, and the other terms of the Act being complied with, bridges constructed under the authority of Acts passed by Local Legislatures may become lawful bridges, although they interfere with the navigation of the waters over which they are erected. From the operation of this Act, however, as well as from the operation of the clauses of "The Consolidated Railways Act, 1879," by it repealed, the Rivers St. Lawrence and St. John are excepted. The same exception was made in 39 Vic., chap. 15, repealed by "The Consolidated Railway Act, 1879." There is therefore no authority except Parliament that can authorize an interference with the navigation of the River St. John.

In 1871 Parliament incorporated a company with power to construct a bridge across the St. John, from Fredericton to St. Mary's, or between the Parishes of Kingsclear and Douglas.

That charter has expired by virtue of the limitation contained in the 19th section thereof, and reference is made thereto simply for the purpose of showing that Parliament has legislated in the direction of granting an authority now purported to be given by an Act of a Local Legislature.

The undersigned recognizes the importance of the Act in question, and would therefore not lightly recommend its disallowance, but he sees no other course open unless the Legislature, at its next session, amends the 17th section by striking out the words "except so far as may be absolutely necessary for a proper carrying on of the work," or unless the company, at the coming session of Parliament, obtain the sanction to the proposed interference with the navigation of the River St. John.

By chapter 87 the charter of the Courtenay Bay Bridge Company—a company incorporated prior to the union of the Provinces—is revived, continued and amended.

A similar Act was passed in 1877, and was, after correspondence with the Department of Marine and Fisheries, allowed to go into operation.

The undersigned recommends that the same course be followed in regard to this Act, but in doing so desires to express the opinion that before acting under it, the company should have the site and plans approved in accordance with the provisions of the Act of Parliament 45 Vic., chap. 37.

The undersigned further recommends that his observations in regard to these Acts, if approved in Council, be communicated to the Lieutenant Governor of New Brunswick for the information of his Government.

A. CAMPBELL, *Minister of Justice.*

*CERTIFIED COPY of a Report of a Committee of the Honorable the Privy Council, approved by His Excellency the Governor General in Council on the 6th March, 1883.*

The Committee of the Privy Council have had before them a report, herewith attached, dated 13th February, 1883, from the Minister of Justice, with respect to certain Acts of the General Assembly of the Province of New Brunswick, passed in the year 1882, the 45th year of Her Majesty's reign, which were reserved for a separate report.

On the recommendation of the Minister of Justice the Committee advise that the power of disallowance be not exercised with respect to the Acts, being chapters 9 and 87, and they further advise that the attention of the Lieutenant Governor be directed to the observations in the report of the Minister of Justice, for the information of his Government, and that action be deferred in regard to chapter 69.

JOHN J. McGEE.

*CERTIFIED COPY of a Report of a Committee of the Honorable the Privy Council, approved by His Excellency the Governor General in Council on the 24th, July, 1883.*

On a report dated 25th July, 1883, from the Acting Minister of Justice, stating with reference to the Act of the General Assembly of the Province of New Brunswick passed in the year 1882, chaptered 69 and intituled: "An Act to incorporate the Fredericton and St. Mary's Bridge Company," that the grounds of objection to the Act in question are set forth at length in the report of the Minister of Justice dated 13th February, 1883, and approved by your Excellency in Council on the 6th March, 1883.

That in conformity with the Order in Council referred to, the observations of the Minister of Justice in regard to this Act were communicated to the Lieutenant-Governor of New Brunswick for the information of his Government.

That the attention of the Lieutenant-Governor has since been called to a previous communication had with him on the subject, with a view to ascertain whether any legislation was had during the last Session of the General Assembly in regard to chapter 69 of 1882, and a report has been received from the Lieutenant-Governor, enclosing a copy of a memorandum of his Executive Council passed in a Council on the 30th June, ultimo, stating that no amendment has been made to the Act, nor is it in contemplation to make any amendment thereto.

That there is therefore no object in longer deferring action in this matter.

The Minister recommends under these circumstances and for the reasons indicated in the first mentioned report, that the Act of the General Assembly of the Province of New Brunswick passed in the year 1882, chaptered 69, and intituled: "An Act to incorporate the Fredericton and St. Mary's Bridge Company" be disallowed.

The Committee advise that the Act be disallowed accordingly.

JOHN J. McGEE.

GOVERNMENT HOUSE, OTTAWA, Tuesday, 24th day of July, 1883.

Present:—His Excellency the Governor General in Council.

Whereas, the Lieutenant-Governor of the Province of New Brunswick with the Legislative Council and General Assembly of that Province did, on the sixth day of April, 1882, pass an Act which has been transmitted intituled as follows, viz: "An Act to incorporate the Fredericton and Saint Mary's Bridge Company;"



And whereas the said Act has been laid before the Governor General in Council, together with a report from the Acting Minister of Justice recommending that the said Act should be disallowed ;

His Excellency the Governor General has, thereupon, this day been pleased by and with the advice of the Queen's Privy Council for Canada to declare his disallowance of the said Act, and the same is disallowed accordingly.

Whereof the Lieutenant Governor of the Province of New Brunswick, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

JOHN J. McGEE, *Clerk of the Queen's Privy Council, Canada.*

I, Sir John Douglas Sutherland Campbell, commonly called the Marquis of Lorne, Governor General of Canada, do hereby certify that the Act passed by the Legislative Council and General Assembly of the Province of New Brunswick the sixth day of April, 1882, intituled: "An Act to incorporate the Fredericton and Saint Mary's Bridge Company," was received by me on the 8th day of August, 1882.

Given under my hand and seal this 24th day of July, 1883.

LORNE.

### PRINCE EDWARD ISLAND, 1882.

(45 Victoria.)

**CERTIFIED COPY** of a Report of a Committee of the Honorable the Privy Council, approved by His Excellency the Governor General in Council on the 26th February, 1883.

The Committee of the Privy Council have had before them a report dated the 13th February, 1883, from the Minister of Justice with respect to the Acts passed by the General Assembly of the Province of Prince Edward Island in the year 1882, the 45th year of Her Majesty's reign.

On the recommendation of the Minister of Justice, the Committee advise that the power of disallowance be not exercised with respect to any of the said Acts, being chap. 1 to chap. 29 inclusively.

JOHN J. McGEE.

DEPARTMENT OF JUSTICE, OTTAWA, 13th February, 1883.

*To His Excellency the Governor General in Council.*

The undersigned having had under consideration the Acts of the General Assembly of the Province of Prince Edward Island passed in the Session of 1882, recommends that the same be left to their operation.

Chap. 1. An Act to amend an Act intituled: "An Act to repeal certain parts of the Act consolidating the Election Laws, and make other provisions in lieu thereof."

Chap. 2. An Act to amend the Public Schools Act, 1877.

Chap. 3. An Act to amend "An Act to amalgamate the Prince of Wales College and Provincial Normal College."

Chap. 4. An Act respecting the office of Sheriff.

Chap. 5. The Jury Amendment Act, 1882.

Chap. 6. An Act to amend the Law regulating the hearing of Appeal Causes.

Chap. 7. The Evidence Amendment Act, 1882.

Chap. 8. An Act respecting the Registration of certain Deeds executed abroad.

Chap. 9. An Act to amend the Trustee Act, 1866.

Chap. 10. An Act relating to judgments entered of Record in the Supreme Court.

Chap. 11. An Act to amend the Mechanics Lien Act.

Chap. 12. An Act respecting Affidavits.

Chap. 13. An Act to amend "An Act to regulate the management of the Government Stock Farm."

- Chap. 14. An Act in further amendment of the Domestic Animals Act, 1878.  
 Chap. 15. An Act to authorize the revision and consolidation of the General Statutes of the Province of Prince Edward Island.  
 Chap. 16. An Act appropriating certain Moneys therein mentioned for the Service of the Year of Our Lord one thousand eight hundred and eighty-two.  
 Chap. 17. An Act to repeal "The Assessment Act, 1877," with its amending Acts.  
 Chap. 18. An Act to amend "An Act for the purchase of Land on behalf of the Government of Prince Edward Island, and to regulate the sale and management thereof, and for other purposes therein mentioned."  
 Chap. 19. An Act relating to Accidents by fire in Montague, and for the removal of Nuisances from the streets thereof.  
 Chap. 20. An Act to consolidate and amend the Acts incorporating the Roman Catholic Bishop of Charlottetown.  
 Chap. 21. An Act to vest certain Lands in "The Roman Catholic Episcopal Corporation of the Diocese of Charlottetown."  
 Chap. 22. An Act to amend an Act to amend the Acts incorporating the Ministers and Elders of St. John's Church, in the District of Belfast.  
 Chap. 23. An Act to continue a certain Act therein mentioned.  
 Chap. 24. An Act to incorporate the Prince Edward Island Historical Society.  
 Chap. 25. An Act to incorporate the Benevolent Irish Society of Prince Edward Island.  
 Chap. 26. An Act to incorporate the Riverside Creamery Company.  
 Chap. 27. An Act to incorporate the Wheatly River Lime Company.  
 Chap. 28. An Act for the incorporation of Trepan Woollen Manufacturing Company.  
 Chap. 29. An Act to vest the title of a certain Tract of Land in William Dodd, Esquire.

A. CAMPBELL, *Minister of Justice.*

## MANITOBA, 1882.

(45 Victoria.)

**CERTIFIED COPY of a Report of a Committee of the Honorable the Privy Council, approved by His Excellency the Governor General in Council on the 6th March, 1883.**

On a report dated 14th February, 1883, from the Minister of Justice, submitting that having had under consideration the petition of certain members of the Association of Provincial Land Surveyors in the Province of Manitoba, praying for the disallowance of the second clause of the fifth section of 45 Victoria, chapter 54, intituled: "An Act to amend 44 Victoria, chap. 29, intituled: "An Act respecting the profession of Land Surveyors in the Province of Manitoba," and the communication of the president of the Provincial Land Surveyors' Association of that Province, to Your Excellency on the same subject, dated 6th September, 1882:

The Minister states that by 44 Vic., chap. 29, being "The Land Surveyors Act, 1881," certain persons holding commissions as Land Surveyors were constituted an Association of Land Surveyors, and, among other things, provision is made for the admission of artieled pupils after a course of study, and an examination similar to that prescribed by section 95 of the "Dominion Lands Act, 1879."

It is material in this connection to note that by section 91 of the Act last mentioned it is provided that:—

"Any person who subsequently to the fourteenth day of April, one thousand eight hundred and seventy-two, shall have been duly qualified by certificate, diploma or commission to survey lands in any Province of the Dominion, in which, in order to be so qualified, a course of study, including the subjects prescribed by section 95, is required by the law of such Province, shall be entitled to obtain, without being



subjected to any examination other than as regards the system of survey of Dominion lands, a commission as Dominion Land Surveyor: Provided, that it shall rest with the Board of Examiners to decide whether the qualifications required of a Surveyor of Crown Lands in such Province are sufficiently similar to those set forth in the said section ninety-five of this Act to entitle him under the foregoing provisions to such commission; and provided further, that it must be shown that such Province has reciprocated the privilege hereby granted by granting to Dominion Land Surveyors on their application, and without subjecting them to any examination, except as regards a knowledge of the survey laws of such Province, diplomas, certificates or commissions as the case may be, as surveyors of lands within such Province.

"Land Surveyors holding diplomas, certificates or commissions for Provinces of the Dominion, in which the qualifications required by law for surveyors are not similar to those prescribed by this Act, must undergo examination by the board, and satisfactorily pass the same, in order to obtain commissions as Dominion Land Surveyors."

The Minister further states that by 45 Vic., chap. 54, sec. 5, sub-section 2, the clause to which the petitioners take objection, those land surveyors who, previously to the transfer to Canada, were duly authorized by the Council of Assiniboia, and those apprentices who had served their full term of three years with a regularly authorized surveyor from any of the Provinces of the Dominion previous to the passing of any Act of the Legislature of Manitoba, respecting surveys and surveyors, shall, on application to the secretary of the association, and on proof of the above facts and payment of the fee required by the rules of the association, be entitled to a commission to practice as a Provincial Land Surveyor in Manitoba.

The petitioners complain that this clause not being in the Bill as it was drafted and accepted by the Government of Manitoba, was inserted during its passage through the Assembly without the committee of the association being consulted and against their views.

They allege that "should the said clause become law, it would have the effect of lowering the said profession by allowing ignorant and unqualified persons to become members of the said association and to practise as Provincial Land Surveyors, thereby causing great injury and inconvenience to the public, and would have the effect of defeating the object for which the said association was formed, and would further, in all probability, prevent reciprocal action on the part of the Dominion Board, they requiring similar qualifications for themselves from members of another association."

"All land surveyors duly authorized by the Councils of Assiniboia previous to the transfer of this country to Canada, have been and are admitted members of the said associations."

The Minister is of opinion, taking the case as stated, that no sufficient reason has been shown for the disallowance of the Act—the clause of itself cannot, of course, be disallowed.

That the objections urged are for the Legislature, it having power to pass the Act in question, and therefore to that body the petitioners should go for their remedy.

The Minister recommends that the power of disallowance be not exercised in regard to this Act, and that the petitioners be informed of the action taken; furthermore, the Minister recommends that a copy of a petition be forwarded to the Lieutenant-Governor of Manitoba for the consideration of his Government, and for such action as they may deem proper.

The Committee concur in the recommendations above set forth, and they submit the same for Your Excellency's approval.

JOHN J. MCGEE.

DEPARTMENT OF JUSTICE, OTTAWA, 18th June, 1883.

*To His Excellency the Governor General in Council.*

The undersigned has the honor to report upon the statutes passed by the Legislature of the Province of Manitoba in the year 1882.

Chap. 30. An Act to encourage the building of Railways in Manitoba was considered in October last, and by Order in Council of the 3rd day of November, 1882, was disallowed.

Chap. 54. An Act to amend 44th Vic., chap. 29, intituled, "An Act respecting the profession of Land Surveyors in the Province of Manitoba," was considered in February last on the petition of certain members of the Association of Provincial Land Surveyors in the Province of Manitoba. By Order in Council bearing date the 5th day of March last, it was left to its own operation.

The remaining chapters and titles of the Acts of that Session are as follows:—

Chap. 1. An Act to amend chapter 9 of the Consolidated Statutes of Manitoba, division eight, entitled Legal Profession.

Chap. 2. An Act respecting Wills.

Chap. 3. An Act to provide for the alteration or opening up of Roads and the establishment of Ferries in the Province of Manitoba.

Chap. 4. An Act to enable the Municipality of Portage la Prairie to sell Lands which are in arrears for Taxes.

Chap. 5. An Act respecting the real and personal estate vested in Officers of the Court of Queen's Bench on its equity side.

Chap. 6. An Act to encourage the planting of trees along the great highways and road allowances within the Province.

Chap. 7. An Act to amend 44 Vic., chap.: An Act to amend chap. 3 of the Consolidated Statutes of Manitoba.

Chap. 8. An Act to establish Normal School Departments in connection with Public Schools.

Chap. 9. An Act to provide for the holding of Elections in the newly added territory.

Chap. 10. An Act to amend 44 Vic., chap. 24, intituled: "An Act respecting the Registration of Debentures."

Chap. 11. An Act to amend 44 Vic., chap. 4, intituled: "An Act to establish a system of Public Schools in the Province of Manitoba."

Chap. 12. An Act to prevent the Spreading of Wild Mustard or Canada Thistles.

Chap. 13. An Act to amend the Land Registration Act of Manitoba and amendments thereof.

Chap. 14. An Act for the reorganization of the Department of Agriculture and Statistics.

Chap. 15. An Act to amend and confirm the Charter of the South Winnipeg Bridge Company.

Chap. 16. An Act to amend 44 Vic., chap. 3, intituled: "An Act respecting Municipalities."

Chap. 17. An Act to amend "The Manitoba Town Corporations Act."

Chap. 18. An Act respecting purchases of Mortgages.

Chap. 19. An Act to amend chapter 12 of the Consolidated Statutes of Manitoba, intituled: "An Act respecting Highways and Roads."

Chap. 20. An Act to amend chapter 18 of the Consolidated Statutes of Manitoba, intituled: "The Game Act."

Chap. 21. An Act to divide the Municipality of Cypress.

Chap. 22. An Act to divide the Municipality of Norfolk.

Chap. 23. An Act to divide the Municipality of Turtle Mountain.

Chap. 24. An Act to amend 44 Vic., chapter 3, intituled: "An Act respecting Municipalities."

Chap. 25. An Act to enable Municipalities to perform drainage work in certain cases.

Chap. 26. An Act to amend section 169, chapter 9, division 5, of the Consolidated Statutes.

Chap. 27. An Act to amend chapter 5 of the Consolidated Statutes of Manitoba.

Chap. 28. An Act to amend chapter 18 of the Consolidated Statutes of Manitoba.



Chap. 29. An Act to amend chapter 5 of the Consolidated Statutes of Manitoba, intituled: "An Act respecting the Legislature of Manitoba."

Chap. 31. An Act to amend chapter 3 of the Consolidated Statutes of Manitoba, and 44 Vic., chapter 11, section 4.

Chap. 32. An Act to divide the Municipality of Youville.

Chap. 33. An Act respecting the jurisdiction of County Court Judges.

Chap. 34. An Act to extend the limits and boundaries of the Town of Emerson.

Chap. 35. An Act to incorporate the City of Brandon.

Chap. 36. Charter of the City of Winnipeg, Manitoba, consolidated from "The Act of Incorporation of the City of Winnipeg."

Chap. 37. An Act to incorporate the Winnipeg Street Railway Company.

Chap. 38. An Act to amend 44 Vic., chap. 3, an Act to amend chapter 3 of the Consolidated Statutes of Manitoba.

Chap. 39. An Act to amend the Act to incorporate The Winnipeg Water Works Company.

Chap. 40. An Act to amend and confirm the Charter of the Brandon Bridge Company.

Chap. 41. An Act to amend 44 Vic., chap. 41, and to legalize By-law No. 13, passed by the Town of Portage la Prairie, on the 15th day of April, 1881, to raise for the use of the said Town, \$40,000, and By-law No. 37 of the Corporation of the Town of Portage la Prairie, granting \$100,000 in aid of Portage, Westbourne and North-Western Railway.

Chap. 42. An Act to confirm certain securities belonging to the Freehold Loan and Savings Company.

Chap. 43. An Act to legalize By-law No. 49 of the Municipality of Emerson, in the Province of Manitoba, intituled: "A By-law to raise \$50,000 by debentures for permanent drainage improvements in the Municipality of Emerson, in the Province of Manitoba."

Chap. 44. An Act to incorporate the Red River Bridge Company.

Chap. 45. An Act to incorporate the East Brandon Bridge Company.

Chap. 46. An Act to amend the Acts incorporating the Bishop of the Church of England Diocese of Rupert's Land, and certain other corporations connected with the said church, and for certain other purposes.

Chap. 47. An Act to vest certain lands belonging to the Congregation of the Presbyterian Church in the Parish of Kildonan, in trustees, for the benefit of the congregation.

Chap. 48. An Act to incorporate the Portage la Prairie Street Railway Company.

Chap. 49. An Act relating to the Canada Landed Company.

Chap. 50. An Act to give effect to two certain Indentures, namely: First, an Indenture bearing date the 29th day of March, A.D. 1880, and made between William Fraser, John Sutherland, John Henderson, and Jane Sinklater. Second, an Indenture bearing date the 30th day of July, A.D. 1881, and made between the said William Fraser, John Sutherland, John Henderson, and Alexander Potson, and to vest the lands thereby intended to be granted in the present grantees thereof.

Chap. 51. An Act respecting the Trust and Loan Company of Canada.

Chap. 52. An Act to confer certain powers on the Bell Telephone Company.

Chap. 53. An Act to legalize By-laws numbers 29 and 31 of the Corporation of the Municipality of the Town of Emerson.

Chap. 55. An Act for granting certain sums of money required for defraying certain expenses of the Civil Government of the Province of Manitoba, for the fiscal year ending 31st December, 1882, and for other purposes connected with the public service.

The undersigned recommends that the said Acts be left to their operation, but in so doing deems it advisable to call attention to certain provisions of some of the chapters.

(1) The titles to chaps. 16 and 24 are the same.

The use of the same titles to different chapters should be avoided.

Chap. 35. An Act to incorporate the City of Brandon.

Chap. 36. Charter of the City of Winnipeg, Manitoba, consolidated from "The Act of Incorporation of the City of Winnipeg."

Charter 36 relates to the Charter of the City of Winnipeg, and is consolidated from the Act of Incorporation of that city and the Acts in amendment thereof.

These Acts, chaps. 35 and 36, are much alike in their terms, and, with one or two exceptions, the observations in regard to one will apply to the other.

The 3rd sub-section of the 8th section of each Act makes provision for trying and punishing a person who assaults or beats any voter.

This is an offence against the criminal law, and the sections should be amended accordingly.

The 61st section of each Act imposes a penalty of \$1,000 upon the city clerk, or other person wilfully altering or falsifying any certified voters' list or copy thereof.

This clause trenches upon the criminal law as to forgery, and should be amended so as to refer only to cases where the alteration is not wilful, or if this is not desired, should be repealed.

By the 78th section of chapter 35, it is provided that debentures shall be valid and recoverable to the full amount, notwithstanding their negotiation by the corporation at a rate less than par, or at a rate of interest greater than 5 per cent. per annum.

By section 81 it is provided that in case of default being made in payment of the taxes of any person, the same shall bear interest at the rate of 10 per cent. per annum until paid, and all arrears of taxes shall bear interest at that rate until paid.

By the 96th section the Council is given power to redeem any lands taken in execution and sold by the Sheriff, within five years from sale, by paying the purchaser of the lands the amount paid by him, together with the interest at the rate of 8 per cent. per annum.

Similar provisions are contained in the 78th, 81st and 96th sections of chapter 36.

The undersigned has before had occasion to express the opinion that where Local Legislatures enact provisions relating to interest, it is advisable that this be so done as to recognize the Legislative authority of Parliament in this respect. No objection is taken to the Legislature giving a corporation power to pay any legal rate of interest that may be agreed upon, or any fixed rate within the maximum at the time allowed by law.

These sections go much further, the 81st section being especially open to objection.

The 3rd sub-section of the 97th, giving the City Council power to make By-laws for providing for the inspection of gas meters, and the 3, 4, 5, 8, 10, 12, 16, 17 and 21st sub-sections of the 101st section giving power to make By-laws on matters touching, more or less closely, the subject of criminal law, are also open to objection.

Similar provisions are found in the corresponding sections of chapter 36.

The same kind of legislation is, however, to be found in similar Acts of other Provinces, and have been allowed to go into operation without doing more than calling attention to them, as any By-laws made under these provisions will probably come before the courts for decision, and as great confusion will arise if the Acts be disallowed, the undersigned thinks it better that they be left to their operation and to the judgment of the courts.

By chapter 35, section 101, sub-section 2, and by chapter 36, section 101, sub-section 2, and sections 105 and 106, provisions are made in regard to the sale of intoxicating liquors in excess of the powers of the Legislature.

Since these Acts were passed the decision of the Privy Council in *Russell vs. The Queen* has been given and Parliament has legislated on the subject. As, however, these provisions were enacted anterior to the action taken by Parliament, and will become inoperative with other Provincial legislation on the same subject whenever they conflict with the laws, the undersigned is not compelled to recommend the disallowance of these Acts.



If these observations are approved the undersigned recommends that the substance thereof be communicated to the Lieutenant Governor of Manitoba for the consideration of his Government and for such action as they think advisable.

A. CAMPBELL, *Minister of Justice.*

*CERTIFIED Copy of a Report of a Committee of the Honorable the Privy Council, approved by His Excellency the Governor General in Council on the 26th June, 1883.*

The Committee of the Privy Council have had before them a Report, hereunto annexed, dated 18th June, 1883, from the Minister of Justice, with respect to the Acts passed by the Legislature of the Province of Manitoba in the year 1882, being the 45th year of Her Majesty's Reign.

The Committee on the recommendation of the Minister of Justice advise that the powers of disallowance be not exercised with respect to any of the said Acts, being chaptered one (1) to fifty-five (55) inclusive, save as regards chapter 30, which was disallowed, and chapter 54, upon which the Minister of Justice made a separate report, but was left to its operation.

The Committee further advise that a despatch be forwarded by the Secretary of State to the Lieutenant-Governor of Manitoba, directing the attention of his Government to the observations in the report of the Minister of Justice on several of the said Acts, and for such action as they think advisable.

JOHN J. McGEE.

#### BRITISH COLUMBIA, 1882.

(45 Victoria.)

*CERTIFIED COPY of a Report of a Committee of the Honorable the Privy Council, approved by His Excellency the Governor General in Council on the 12th May, 1883.*

The Committee of the Privy Council have had before them a report dated 8th May, 1883, from the Minister of Justice, with respect to the Acts, being chapters one to eighteen inclusive, passed by the Legislature of the Province of British Columbia in the Session of 1882, 45 Victoria.

The Committee advise on the recommendation of the Minister of Justice that the said Acts be left to their operation, save as regards chapter eight, which the Minister advises be disallowed for the reasons set forth in a separate report.

JOHN J. McGEE.

OTTAWA, 8th May, 1883.

*To His Excellency the Governor General in Council.*

The undersigned has had under consideration the Acts passed by the Legislature of the Province of British Columbia, in the Session of 1882, which are chaptered and intitled as follows:—

Chap. 1. An Act to amend the Coroners Act, 1879.

Chap. 2. An Act to amend the Act respecting the Supreme Court of Canada and the Exchequer Court of Canada.

Chap. 3. An Act to provide for the establishment of a Provincial Superior Court.

Chap. 4. An Act to amend the Drainage, Dyking and Irrigation Acts.

Chap. 5. An Act to amend the British Columbia Line Fences and Water Courses Act, 1876, and the British Columbia Line Fences and Water Courses Amendment Act, 1881.

Chap. 6. An Act to amend the Land Act, 1875, and the Land Amendment Act, 1879.

Chap. 7. An Act respecting Free Grants of Land in certain cases.

- Chap. 9. An Act to amend the Municipality Act, 1881.  
 Chap. 10. An Act to amend the Law relating to the Legal Profession.  
 Chap. 11. An Act to authorize the admission of Samuel Perry Mills as a Solicitor  
 and Barrister at Law.  
 Chap. 12. An Act to authorize the admission of Charles Wilson as a Barrister  
 and Solicitor of British Columbia.  
 Chap. 13. An Act for the relief of Andrew Leamy, of Yale, British Columbia.  
 Chap. 14. An Act to incorporate the New Westminster and Port Moody Railway  
 Company.  
 Chap. 15. An Act to incorporate the Vancouver Land and Railway Company.  
 Chap. 16. An Act to repeal the Esquimault and Nanaimo Railway Act, 1875.  
 Chap. 17. An Act to amend the Public School Act, 1879.  
 Chap. 18. An Act for granting certain sums of money for the Public Service of  
 the Province of British Columbia.

The undersigned respectfully recommends that the Acts mentioned be left to  
 their operation, save as regards Chapter 8, which, for reasons given in a separate  
 report, the undersigned recommends be disallowed.

A. CAMPBELL, *Minister of Justice.*

*CERTIFIED COPY of a Report of a Committee of the Honorable the Privy Council, approved  
 by His Excellency the Governor General in Council on the 12th May, 1883.*

On a Report dated 8th May, 1883, from the Minister of Justice with respect to  
 an Act, chapter 8, intituled: "An Act to consolidate and amend the laws relating to  
 gold and other minerals excepting coal," passed by the Legislature of the Province  
 of British Columbia, in the Session of 1882, 45 Victoria,

The Committee advise, on the recommendation of the Minister of Justice, and  
 for reasons stated in his report, hereto attached, that the said Act, being chapter 8,  
 be disallowed.

JOHN J. MCGEE.

GOVERNMENT HOUSE, OTTAWA, Saturday, 12th day of May, 1883.

Present:—His Excellency the Governor General in Council.

Whereas, the Lieutenant-Governor of the Province of British Columbia, with  
 the Legislative Assembly of that Province, did, on the 21st day of April, 1882, pass  
 an Act which has been transmitted, intituled: "An Act to consolidate and amend  
 the laws relating to Gold and other Minerals, excepting Coal;"

And whereas, the said Act has been laid before the Governor General in Council,  
 together with a report from the Minister of Justice recommending that the same  
 should be disallowed:

His Excellency the Governor General has therefore this day been pleased, by and  
 with the advice of the Queen's Privy Council for Canada, to declare his disallowance  
 of the said Act, and the same is disallowed accordingly.

Whereof the Lieutenant-Governor of the Province of British Columbia, and all  
 other persons whom it may concern, are to take notice and govern themselves  
 accordingly.

JOHN J. MCGEE, *Clerk Privy Council.*

I, Sir John Douglas Sutherland Campbell, commonly called the Marquis of  
 Lorne, Governor General of Canada, do hereby certify that the Act passed by the  
 Legislature of British Columbia, the 21st day of April, 1882, intituled: "An Act to  
 consolidate and amend the laws relating to Gold and other Minerals, excepting Coal,"  
 was received by His Excellency the Governor General on the 13th day of May, 1882.

Given under my hand and seal this 12th day of May, 1883.

LORNE.



## DEPARTMENT OF JUSTICE, OTTAWA, 8th May, 1883.

The undersigned would respectfully call attention to chapter 8, intituled: "An Act to consolidate and amend the Laws relating to Gold and other Minerals, excepting Coal," passed by the Legislature of British Columbia in 1882, 45th Vic., the undersigned observes that by section 4 of this Act the Lieutenant-Governor is authorized to appoint such persons as he may deem proper as Gold Commissioners or Assistant Gold Commissioners, either for the whole Province or for any particular districts therein.

By section 5 there purports to be established a court or courts in mining districts, to be presided over by a Gold Commissioner or Assistant Commissioner, and by section 6 it is declared that each of these courts "shall be a court of record, and shall have jurisdiction as a court of law and equity, to hear and determine all mining disputes arising in the district or locality in which it is appointed to be held, including actions arising upon contracts between any free miners and other persons, relating to the supply to such free miners of goods, merchandize, materials, or implements used in mining or in connection therewith, and the Gold Commissioner shall have power in such disputes or actions, to give such judgment as he may deem just, and to enforce the same according to the practice of the Supreme Court or any Superior Court, by writ of execution, process of contempt, proceedings for attachment of debts or other process, or by any means provided by this Act."

By other sections of the Act the jurisdiction of the Mining Court may be exercised by every County Court, and appeals are allowed from the Mining Court to the Supreme Court or any Superior Court sitting in the judicial district within which the Mining Court appealed from may be situated.

It will be seen, therefore, that by this Act the appointment of a judge performing judicial functions, whose appointment, under "The British North America Act, 1867," should be made by the Governor in Council, is in effect to be made by the Lieutenant-Governor of British Columbia.

The undersigned is of opinion that legislation thus offending against the constitutional principles laid down by the British North America Act, 1867, should not be allowed to go into operation, and he humbly advises that the Act in question be disallowed.

A. CAMPBELL, *Minister of Justice.*

*CERTIFIED COPY of a Report of a Committee of the Honorable the Privy Council, approved by His Excellency the Governor General in Council on the 15th May, 1883.*

The Committee of the Privy Council have had under consideration a report dated 14th May, 1883, from the Minister of Justice, in which it is recommended that the annexed case respecting the status of the Supreme Court of British Columbia, and the power of the Legislature of that Province to legislate in respect of procedure in that court, and the residences of the judges thereof, be referred to the Supreme Court for hearing and consideration, and that the court may hear and consider the same, and certify to the Governor in Council their opinion upon the questions submitted.

The Committee concur in the recommendation of the Minister of Justice, and advise upon Your Excellency's approval that a copy of the report of the Minister of Justice and of the case submitted herewith, be forwarded to the Registrar of the Supreme Court of Canada.

JOHN J. MCGEE.

*CERTIFIED COPY of a Report of a Committee of the Honorable the Privy Council, approved by His Excellency the Governor General in Council on the 17th October, 1883.*

The Committee of the Privy Council have had under consideration a report herewith dated 25th September, 1883, from the Minister of Justice, in which it is recommended for the reasons therein set forth that the following Acts passed by the Legislature of British Columbia, 46 Vic., chap. 26, "An Act to incorporate the Fraser

iver Railway Company," and chap. 27, "An Act to incorporate the New Westminster Southern Railway Company," be disallowed.

The Committee advise that the said Acts be disallowed accordingly and that a copy of this report be forwarded to the Lieutenant-Governor of British Columbia for the information of his Government.

JOHN J. MCGEE.

*CERTIFIED COPY of a Report of a Committee of the Honorable the Privy Council, approved by His Excellency the Governor General in Council on the 19th October, 1883.*

The Committee of the Privy Council have had before them a Report, herewith attached, dated 25th September, 1883, from the Minister of Justice, upon an Act passed by the Legislature of the Province of British Columbia at its last Session, 1883, chapter 26 intitled "An Act to incorporate the Columbia and Kootenay Railway and Transportation Company."

The Committee advise that action in regard to the said Act be for the present deferred as recommended by the Minister of Justice, and furthermore that the substance of this Report be communicated to the Lieutenant-Governor of British Columbia for the information of his Government.

JOHN J. MCGEE, *Clerk Privy Council.*

Hon. the Minister of Justice.

DEPARTMENT OF JUSTICE, OTTAWA, 25th September, 1883.

*To His Excellency the Governor General in Council.*

The undersigned begs leave to report that he has had under consideration the following Acts passed by the Legislature of the Province of British Columbia, namely:—46 Vic., (1883) chap. 26, an Act entitled "An Act to incorporate the Fraser River Railway Company," and chapter 27 entitled "An Act to incorporate the New Westminster Southern Railway Company."

The 9th section of the Act incorporating the Fraser River Railway Company is as follows:

9. "The company may lay out, construct, acquire, equip, maintain and work a continuous line of railway, with double or single track, of iron or steel, and uniform gauge of four feet and eight one-half inches from the 49th parallel, north latitude, at a point between Seiniashends Bay and the eastern line of township 22, New Westminster district, to some point on the Canadian Pacific Railway between the eastern line of township 27, New Westminster district, and the western terminus of the Canadian Pacific Railway, and from that point, or some point west of that point on the said Canadian Pacific Railway to the city of New Westminster."

The 10th sec. of the Act incorporating the New Westminster Southern Railway Company is as follows:

10. "The company and their agents or servants shall have full power under this Act to construct a railway with double or single tracks of four feet eight and one-half inches gauge from some point near the 49th parallel of north latitude, between Seiniashends Bay and township 16, in the district of New Westminster, to the city of New Westminster and to some point on Burrard Inlet, and to construct all necessary bridges over rivers crossing the said line between the above points, but so as not to impede navigation."

By reference to the report of the Chief Engineer of Government Railways, dated June 2nd, 1883, with maps A and B annexed to this report, the area within which the two companies may construct railways will be seen. Each company is given power to construct a railway from the boundary of the Province to points within the Province.



It is possible that the undertakings come within exception (a) of the 10th paragraph of the 92nd section of the British North America Act, 1867, by which local works and undertakings of the following class, namely :

Lines of steam and other ships, railways, canals, telegraph and other works and undertakings connecting the Province with any other or others of the Provinces or extending beyond the limits of the Province are declared not to be within the Legislative authority of the Legislatures of the Provinces.

However, it is unnecessary to consider whether these Acts are or are not within the legislative authority of the Province of British Columbia, for it is clear from them that the objects which the corporations have in view are contrary to the legislation of Parliament and to the settled policy of the country. There can be no doubt that in case these railways are constructed they will direct trade from Canada to the United States, and from the Canadian system of railways to the United States system of railways.

The policy of the Government in this behalf, confirmed by Parliament, was given expression to in the following clause of the contract between the Government of Canada and the Canadian Pacific Railway Company, dated October 21st, 1880.

15. "For twenty years from the date hereof, no line of railway shall be authorised by the Dominion Parliament to be constructed south of the Canadian Pacific Railway from any point at or near the Canadian Pacific Railway, except such line as shall run south-west or to the westward of south-west; nor to within fifteen miles of latitude 49, and in the establishment of any new Province in the North-West Territory, provision shall be made for continuing such prohibition after such establishment until the expiration of the said period."

For these reasons, which the undersigned has had occasion previously to state more fully than it is now necessary to do, he respectfully recommends that the said Acts—chapter 26, "An Act to incorporate the Fraser River Railway Company," and chapter 27, "An Act to incorporate the New Westminster Southern Railway Company,"—be disallowed.

A. CAMPBELL, *Minister of Justice.*

## RETURN

(30c)

o an ADDRESS of the SENATE, dated the 9th April, 1884:—For copies of all of all Documents and Correspondence in possession of the Government, relating to the establishment of a line of Steamships between France and Canada.

By Command,

J. A. CHAPLEAU,

Department of the Secretary of State,  
Ottawa, 9th February, 1885.

*Secretary of State.*

*To His Excellency the Governor General in Council.*

I have the honor to inform the Government of Canada that an ocean navigation company between France and Canada is at present in course of organization.

The capital of the company will be \$5,000,000, half of which is to be subscribed in France and half in Great Britain and Canada.

As it is a question of creating trade, which cannot be left entirely to the public to work up, without the company being exposed to have the vessels running under ballast, it is decided that the organization shall take the following form:—

1. Creation of a line of steamers;
2. Erection of large storage warehouses for western grain at Montreal, Quebec and Halifax;
3. Establishment of a fisheries depot between the coasts of Labrador and the Island of Anticosti;
4. Conversion of the Island of Anticosti into a vast stockyard for cattle and swine for export;
5. Establishment of manufactories of fertilizers from the refuse of the fisheries along the coasts;
6. Organization of a coasting service on both sides of the Gulf of St. Lawrence, for the transportation of the products of fish, cattle, fertilizers, wood, minerals, &c., to a way port for the steamers either at Anticosti or Gaspé;
7. Connection with other lines of transportation, in order to receive direct from them emigrants from Belgium, Norway, Sweden, Germany, &c.;

I. There is no need to call attention to the fact that this is an entirely new enterprise, which will, without doubt, largely increase the exports of this country.

It may be confidently asserted that the establishment of a line of navigation between France and Canada will open up to us, for general trade, a market with a population of 36,000,000, which is almost closed to us to-day; for it is well known that all Canadian products passing through Great Britain are subject, on their entry into France, to an extra charge for passing in bond (*surtaxe d'entrepôt*), which is almost equivalent to prohibition. The only means of getting to the French market, therefore, is to establish a direct line of navigation. In that way a new field would be obtained for the disposal of our timber, fish, phosphates, agricultural implements, cattle, and the different products of our farms and mines. At present, almost all that is brought to us from France, such as silks, Parisian fancy goods, wines, &c., has to come through English channels, on account of the necessity of employing English vessels, and the impossibility of selection at the place of production itself, in the



workshops or manufactories, of the most suitable articles, both in price and quality, causing an increase in the price of goods that materially hinders consumption. The difficulty of transportation is, in fact, the only reason that prevents Canadian houses from having resident buyers in Paris, as American houses have.

From the standpoint of revenue, the Government would benefit by stimulating importation, without prejudice to the consumer, who could then purchase more with the same money as at present. Again, if we can sell to the French the many millions' worth that now remain unproductive in our forests, waters and soil, it necessarily follows that the people of Canada would be able to buy so much more without becoming any poorer. To give one example only: Among the numerous new branches of trade which it would be easy to establish as soon as such a line of navigation was open, would be the export to France, in incalculable quantities, for railway ties and packing cases, of the tamarac and poplar now left unutilized on the coast of Labrador and Gaspé.

The undersigned especially desires to remark that the object of this undertaking is not exclusively to favor the French Province which forms part of the Confederation. Without doubt the sympathy which exists between France and the Province of Quebec will serve largely to stimulate this new business; and, if it is a source of prosperity, which the Province of Quebec has in its power to assure to the Dominion, its duty plainly is to exert itself, and assume the initiative in a matter that will be as beneficial to the lumber, mineral, fish and agricultural interests of the other provinces as to those of the Province of Quebec.

II. But, independently of the above general result, which might not be realized in the first few years, there remain the individual enterprises of the company, which will grow out of its line of navigation.

Why not profit by our magnificent water-way system to bring, during the summer, grain from Chicago to Quebec? It may be said, without fear, that it is possible in the summer to carry the products of the west to Quebec more cheaply than to take them to New York, while our cold climate is admirably adapted to the storage of wheat for long periods. At the present time, all the wheat and corn imported by France are shipped from the United States. Our company will naturally have a certain influence upon French traders, to induce them to change their route, even on equal terms, and assuredly so if they find conditions more favorable. The company itself will apply a part of its capital to give, by means of elevators, all the accommodation necessary to this new trade, to which the winter would offer no hindrance whatever; and I believe I may safely say that the advantages offered by the new basin at Quebec are of the greatest importance to this project. European capitalists were much struck with the idea of making Quebec a grand warehousing depot for grain, and I could give the Government, confidentially, the names of influential persons who spoke to me about it. By means of such warehousing in Quebec, the Intercolonial Railway would get the benefit of carrying this grain during the winter months. At present the numerous cars of coal which the Intercolonial Railway sends to the different parts of the Dominion return empty. Then, even charging a minimum rate of freight on the return for grain, the Intercolonial Railway would still derive a profit; and as Halifax is 630 miles nearer Havre than New York is, it needs little argument to show that the competition for the western trade offers every chance of success.

III. I now pass to the third project which our company has in view. Our fisheries are not developed to their fullest extent. Our object would, therefore, be to establish a deposit of fisheries, where there is none at the present time, between the Island of Anticosti and the coast of Labrador. This spot abounds so in fish that even now, without organization or proper apparatus, almost a million dollars' worth a year is being taken, according to the last official reports. A company that would take up the matter in earnest would increase the country's product by several millions' worth a year. Our intention is to open up a port at some point on the Island of Anticosti or on the coast of Gaspé; our vessels would call there regularly, which would develop specially the resources of this region, so poorly served up to the present time,

though all manner of riches are to be found there : besides fish, there being timber abundance and also minerals of various kinds.

IV. In the fourth place, Anticosti is especially well situated for the cattle trade. One of the large cattle exporters of Montreal, Mr. Lingham, has already suggested that cattle and pigs from the west should be sent to quarantine for three months on that island, in order to allay the fears which arise so often in Great Britain ; and this we believe would be the solution of a most difficult problem.

V. Fifthly, fertilizers manufactured from fish. At present, the refuse from the fisheries is thrown away. Last year I had experiments made by a French manufacturer, Mr. E. Bonnement, who spent the summer on the Gaspé coast, and who obtained from this refuse a fertilizer as rich as guano. I have submitted some of it to the principal houses in England and France; the analysis showed 9 per cent. of azote, 34 per cent. of phosphate and 16 per cent. of phosphoric acid. Dealers in fertilizers were surprised at this wonderful product, which will give a return of not less than \$45 a ton. The production can only be based on the production of fish itself; that is to say, the quantity is inexhaustible. Add to that the roe (or eggs) of the codfish, which are thrown away and lost with the refuse. The sardine fisheries on the coasts of Bretagne and Spain require 50,000 barrels a year. Norway is the only country that produces these roes (or eggs), and furnishes only 25,000 barrels; it would be easy for Canada to save 25,000 barrels or more every year, the value of which is \$10 per barrel.

VI. All these operations carried on in the Gulf of St. Lawrence will necessarily require the service of one or more steamers of considerable proportions, held by our company, to visit the different trading and manufacturing posts, and concentrate the products at some central point, where the steamers of our line would call regularly.

VII. Finally, we have already taken steps towards entering into relations with local navigation companies to establish a regular emigration service between Sweden, Norway, Belgium, and even Germany and Havre. I could, in a private interview, give the Government fuller details on this point.

I feel certain that our line of navigation will be the surest means of stimulating the tide of emigration to this country. Nearly all the Italian, Belgian, German, Swedish and Norwegian emigrants pass by way of France and through Havre, or start directly for New York. For them, the voyage from Paris to Liverpool is so much useless expense, and a great deal of fatigue and trouble. The greater part of them leave their homes, quite indifferent as to their particular destination ; they see but America before them, and the advantages of sailing from Havre, Hamburg or Bremen, are sufficient to make them choose New York instead of Quebec, Montreal or Halifax, its name being so much better known. Hence, they all go to New York, and Canada never sees them. If, by any efforts made, they are induced to go to Liverpool, they are all the way exposed to the importunities of the many United States agents that are to be found everywhere on the route, and at Liverpool itself there is a competition with fifteen or twenty powerful steamship lines, all going to New York. A Canadian line between Havre and Quebec would create a complete revolution in the current of emigration.

#### APPLICATION FOR A SUBSIDY.

The decision of the shareholders has been based chiefly on the subsidy of \$50,000 a year already voted by the Parliament of Canada, and on the premium voted by the French Chamber of Deputies, requiring, however, the following modification, which the company hopes to obtain from your Government. The Canadian subsidy of \$50,000 was voted for a line of steamers crossing once a month. Now, a monthly line is of such small importance that no man of business could expect to make it successful; the dates of sailing would be too far apart for the needs of trade, and the utmost possible amount of business done by such a line would barely cover the running expenses. It would be folly to think of organizing a company that would not have a number of steamers sufficient to ensure a regular service



every fifteen days. The company I represent, after having studied the subject in all its phases, has come to the conclusion that it is impossible to organize a line of this kind unless it received a Canadian subsidy of \$100,000 a year, guaranteed for ten years. A French subsidy is assured to this company by a general law for the encouragement of navigation, dated 29th January, 1881. This law, in summary, gives a premium of 1.50 franc per ton gauge to every 1,000 miles run, for the first year, then decreasing by 5 centimes per ton each year until extinguished; so that this form of subsidy lasts thirty years, and in the present case would be for twenty-seven years, at an average of 70 centimes per ton. The average, however, for the first ten years, deducting the three years which are lost to this company, would be 1.12 $\frac{1}{2}$  franc. To make the position clear, if this law be applied to two vessels gauging 3,000 tons net, running, say, between Montreal and Havre or Rouen, it will be found that the annual subsidy payable by the French Government will amount to 526,500 francs a year, or 5,265,000 francs for ten years. The \$100,000 a year that the Canadian Government would pay, for ten years, would amount to \$1,000,000, or 5,000,000 francs. But the French subsidy runs for seventeen years more, at an average of 45 centimes per net ton per 1,000 miles, giving a surplus of 3,580,200 francs, or a total surplus of 3,845,000 francs over the Canadian subsidy. By the vote granting the subsidy of \$50,000 two years ago, the Canadian Parliament stipulated that the French Government should pay double the amount of this subsidy. Now, if the Canadian Parliament voted a subsidy of \$100,000, the French Government would, in that case, contribute nearly twice as much as the Canadian Government; but if, instead of two steamers, the new company were to put four on the line, the French subsidy, which would increase with the tonnage, would then attain a surplus of 21,751,400 francs over the Canadian subsidy, being four times the \$100,000 subsidy prayed for. As it is impossible for me to say at present how many steamers the company may run, I would humbly suggest that, besides the obligation of keeping a fortnightly service, with two steamers, no other financial condition be imposed, although the probabilities are that the company will commence operations with two large steamers for passengers and a smaller one for freight. I could, however, accept the obligation on the part of the company to open the service with four steamers, provided the Canadian subsidy were made \$150,000 a year. A grant of \$2,000 per voyage, as is done to different other lines, would be equally acceptable, based on a minimum of 52 or a maximum of 112 trips a year.

I beg to add, for the information of your Government, that the French Government would entertain no idea of any other form of subsidy. I assured myself of this during my stay in Paris. To the French Government this form of encouragement is absolute, and no exception would be made for any country.

In applying for a subsidy we are simply asking for that which is in the natural order of things. At first these undertakings are very uncertain; it is not the question of doing the service of an already established trade, but one of creating a trade which does not exist. Nothing, of course, can as yet be counted upon; but if this enterprise does not get official encouragement here we cannot expect foreign capital to come alone to its assistance. I believed I was working as a good citizen in the interests of his country by spending considerable money and nearly two years of my time in the effort to get foreign capital invested in Canadian enterprises, and I now lay before the Government the result of my labors. The heaviest work — that of finding subscribers to the stock — is done, and it now remains with the Government to give a practical existence to the project, by granting a subsidy to the company.

I have mentioned ten years as the term of the subsidy, on account of its being a question of laying the matter before capitalists who are not familiar with the ways and customs of this country, and cannot easily understand that without official guarantee to that effect the subsidy would be renewed from year to year. Without avail did I represent to them, in order that they might regard favorably the idea of a simple vote annually renewed, that the Allan line had received in this way \$250,000 a year for much more than ten years, and is still receiving a large annual

appropriation. They declare themselves unable, under such conditions, to interest their people sufficiently to raise the amount of capital required.

Now, the intention of this company—and it is ready to accept the obligation—is to fix its winter terminus at Halifax, the effect of which will be to increase the traffic of the Intercolonial Railway, acting doubly, by the stream of travellers and merchandise coming from Europe, and by the grain trade, which, as before stated, the company will be obliged to develop.

I am led to believe, by the great confidence I place in the success of the undertaking, that the Intercolonial Railway would derive over \$100,000 worth net benefit from the founding of our line, and besides that the revenue would experience a perceptible increase, through the establishment of such important relations with France. What I call a subsidy, therefore, should rather be termed a loan or advance, as for every dollar given by the Government directly it would receive at least two, in a way equally direct, without counting the increase of business that would result, and by which the whole population would benefit.

The whole respectfully submitted.

L. A. SENÉCAL.

MONTREAL, 29th February, 1884.

MONTREAL, 11th April, 1884.

*To His Excellency the Governor General in Council.*

I have the honor to inform His Excellency the Governor General in Council that a very important inaccuracy has crept into the memorandum submitted to your consideration about a steam navigation company between France and Canada. As I had received a tabulation of the French premium granted to navigation from a source whose authority I could not question, I accepted these figures without verification. When the question arose, a few weeks ago, as to their correctness, I cabled to Paris for further information, and the answer I have just received by the last mail leaves no doubt that the first figures they gave me are not exact. Therefore I beg to inform you that my calculations relating to the French premium must be altered. The premium expires in 1891, and is about 1 franc 40 centimes the net ton for the whole time, allowing two years' existence to the steamers, to be used, so that the French subsidy for two steamers of 3,000 tons net would be about 655,200 francs a year, or 4,586,400 francs for seven years.

There is, besides that, the mail subsidy, but I cannot state now the approximate amount. As I would not willingly deceive Your Excellency upon such a question, I take the first opportunity to fyle the proper correction.

I am also informed of some inaccurate statements of a minor importance; as, for instance, the fact that the old subsidy of \$50,000 was voted for a fortnightly instead of a monthly service, and the suggestion to give, as it is done in some other cases, \$2,000 per voyage, meaning by single trip, when the practice is to include the return trip in that amount.

These last inaccuracies do not, however, impair my argument for the granting of a subsidy of \$100,000 a year, as I cannot but repeat that no large company, with fast and first-class steamers, will be established with a less amount of encouragement.

The whole respectfully submitted.

L. A. SENÉCAL.

CANADIAN TRANS-ATLANTIC COMPANY, MONTREAL, 25th March, 1884.

SIR,—You will remember that three years ago I had the honor to propose the establishment of a steamship line between France and Canada by a company with a capital of \$12,000,000, on the sole condition of a \$50,000 subsidy for ten years. The Government of the day did not then think itself justified in granting more than a three years' subsidy, and, as a necessary consequence, my proposition has remained in abeyance ever since.



I beg to renew my original proposition, as I had the honor to submit three years ago, and hope that the Government will kindly accede to my demand for a ten years' subsidy, which is essential to the success of such a large enterprise.

As no subsidy has been asked from the German or Belgian Governments, in consideration of the Canadian subsidy to the Antwerp and Hamburg lines, it would be desirable not to exact more from the French Government.

The Canadian subsidy would thus amount to \$2,000 for the round trip, that is to say, \$25,000 a year for a monthly service, \$50,000 for a fortnightly service, and \$100,000 for a weekly line, as agreed in the following communication, which I give in French, as it was written :—

SENATE, PARIS, 12th March, 1881.

*Monsieur Perrault, ex-Commissioner of the Canadian Government to the Paris Exposition.*

In reply to your letter, dated yesterday, I beg to confirm the following declarations exchanged between us: A syndicate is now formed at Paris, for the creation of a steamship service between Rouen and Montreal, wherefore:

1. The Bank of Paris is prepared to furnish the capital of 12,000,000 for the organization of that service.

2. A Franco-Canadian company will be formed; the company will secure the construction of four steamships, capable of carrying a cargo of 2,000 to 2,200 tons of merchandise. The vessels will start fortnightly from Rouen, for Montreal in summer and Halifax in winter, making in all twenty-six trips per year. The head office of the company to be at Paris.

3. Inasmuch as the building of the vessels will take a certain amount of time, my friends and I consent to commence the regular fortnightly service with hired vessels, within sixty days after receipt of satisfactory evidence showing that the yearly subsidy of 250,000 francs, and for ten years, has been granted by the Canadian Government to our company.

4. The carrying trade of the company will be conducted with a view chiefly to the products of the soil of Canada—cereals, butter, cheese, fresh, salt and preserved meats, fish, timber, mineral products and fruit—and arrangements will be made for the transport of cattle. Freights from France will consist of products of the soil and industrial products. Measures will also be adopted with the utmost care for the carrying of emigrants.

5. The company will neglect no means of imparting to their service the fullest possible expansion. Should its development respond to their efforts, they will not hesitate to render their service a weekly one.

6. The Board of Management will consist of a minimum of twelve members, nine for France and three for Canada.

You are aware of the fact that the Minister of Mails and Telegraphs is exceedingly well disposed towards this undertaking, and has testified to me his approval in writing. The Minister of Marine is, in like manner, most favorably disposed.

In matters of business, it is usual to furnish references, in order that parties may know with whom they are treating. I remind you, therefore, that I have been careful to base my calculations on the most honorable and solid financial authorities and to secure the co-operation of personages of the highest political influence.

You know, by experience, that La Banque de Paris is undeniably one of the most highly esteemed and solid financial establishments in France. The directors are my colleagues in the Board of Directors of La Banque Hypothécaire de France, the capital of which amounts to 100,000,000. One of these directors is M. Gouin, my colleague in the Senate, as also M. Duclerc, quite recently Vice-President of the Senate, and President of Le Credit Foncier Canadien. The President of the Board of this company is M. Dutilleul, formerly Director of the Treasury in the Department of Finance. In short, we all belong to various financial associations, representing a total capital of over 350,000,000.

I assure you once more that we are anxious to give to this undertaking theallest development possible. We shall make every effort to work up to a weekly service. We shall also spare no efforts to create a great current of emigration in our direction. As regards our future Board of Directors, I have secured the co-operation of the following persons:—

M. Duclerc, Senator; member of the Board of Directors of La Banque de Paris; President of Le Crédit Foncier Canadien;  
M. Metier, ex-Deputy and Mayor of Rouen; Trade Delegate for *Les Docks et Entrepôts* of Rouen;

M. Waddington, Deputy; member of the Board of Trade of Rouen;  
M. Hovins, Deputy and Mayor of St. Malo, a large ship-owner;  
And lastly, as to myself, my position is as follows: M. Cordier, life Senator; 1st Vice-President of the Senate Commission on Finance; President of "Le Conseil Général de la Seine Inférieure;" member of "Le Conseil Supérieur du Commerce et de l'Industrie de l'Etat;" member of the Board of Trade of Rouen; member of the Board of Directors of La Banque Hypothécaire de France, capital, 100,000,000; and of l'Assurance Financière, capital, 18,000,000; President of Les Docks et Entrepôts de Rouen, capital, 4,000,000, &c., &c.

In furnishing all these details I am not moved by a desire to gratify the self-esteem of any of our number, least of all my own; it is simply in order that people in your country may know that we offer every moral and pecuniary guarantee that we earnestly desire to create a solid undertaking and, above all, a patriotic work, by creating a bond which will unite us more closely with one of the most sympathetic branches of the great French family.

Receive, &c.,

ALPHONSE CORDIER.

These gentlemen having always told me that, when I would have obtained the acceptance of the above proposition, they would be ready to fulfil their engagements towards me, I beg the Government to grant the ten years' subsidy, when I will undertake the establishment of the Franco-Canadian Trans-Atlantic Company within the delay of ninety days.

I beg to annex an official letter from his Excellency the French Minister of Marine, confirming the subsidy of \$100,000 to our company.

Hoping for an early consideration of my demand, I beg to remain,

Your obedient servant,

J. X. PERRAULT.

Hon. the Secretary of State.

MINISTRY OF MARINE AND COLONIES, PARIS, 23rd June, 1881.

MONSIEUR PERRAULT.

SIR,—You wrote me on the 16th June instant, asking me what would be the amount of the grants accruing in the shape of construction, bonus and navigation premium, under the law of 29th January last, to four steamships, each measuring 2,500 tons gross, 1,880 tons net, with engines of 175,000 kilos, and all four together performing a marine mileage of 156,000 each year, between France and Canada.

On the conditions stated the construction bonus of the four vessels would be 684,000 francs (\$138,800).

On the statements furnished by you, your four vessels, being constructed in France, on plans approved of by the Minister of Marine, you would receive, during the first year, as navigation premium, 505,908 francs (\$101,181).

Receive, &c.,

The Minister of Marine and Colonies,

For the Minister and by his order,

The Rear Admiral,

Director of the Staff,

A. MATHIEU.



THE FRANCO-CANADIAN TRANS-ATLANTIC COMPANY,  
MONTREAL, 8th May, 1884.

SIR,—In my interview yesterday, I had the honor to submit to you the original official letter of His Excellency the Minister of Marine of France, addressed to myself, in which he affirms that the Franco-Canadian Trans-Atlantic Company, which I propose, will receive from the French Government a construction bonus on its steamers of 684,000 francs or \$137,000, plus a yearly navigation premium of 105,908 francs or \$101,180, for a *fortnightly* service between France and Canada; and twice that amount, or \$200,000, for a weekly service.

But as the state of trade between the two countries could not possibly warrant a weekly service for a number of years, I beg now to renew my application for the grant of \$50,000 for the proposed line of steamers, to run fortnightly between Havre or Rouen to Quebec in summer, and Halifax or St. John in winter, the French Government contributing at least an equal amount for the same service.

I beg further that, in order to open immediate communications during the present season between the two countries, a few monthly trips be allowed, for which a proportionate subsidy of \$2,000 per return trip will be granted, so as to allow the company sufficient time to secure full cargoes for the regular fortnightly line.

I beg also to remark that the sole cause of failure to establish the Franco-Canadian line having been the inability of the Canadian Government to grant more than a *three years'* subsidy, I hope that this fatal difficulty will be now removed and that my previous demand for a ten years' contract will be favorably entertained.

The French Government has just renewed the twenty-five years' subsidy of 13,000,000 francs yearly in favor of the French Trans-Atlantic Company, long contracts being the general practice in France; so that to obtain French capital for the establishment of a Franco-Canadian line, it is essential that a ten years' subsidy should offer some security for the investment of capitalists in this new enterprise.

Hoping for an early consideration of my proposition, I beg to remain

Your most obedient servant,

J. X. PERRAULT,

N.B.—Please address your answer, care of Thibaudeau Bros., 26 Basinghall St., London, E.C., England.

Hon. Sir LEONARD TILLEY, Minister of Finance.

## RETURN

(31)

To an ADDRESS of the HOUSE OF COMMONS, dated 28th March, 1884;—For a Statement showing the present constitution of the North-West Council, the number of elected Members, the Districts for which they are elected, the number of Votes polled, the names of the Candidates, and the qualifications required of the Voters.

By command,

J. A. CHAPLEAU,

*Secretary of State.*

Department of the Secretary of State,  
Ottawa, 19th February, 1885.



LIEUTENANT-GOVERNOR'S OFFICE, REGINA, 15th April, 1884.

SIR,—In the absence of His Honor the Lieutenant-Governor (engaged visiting Indian reserves), I have the honor to acknowledge receipt of your letter of the 4th inst., and to enclose you herewith, for the information of the Minister, a synopsis of the election returns for the North-West Council, containing, in addition to the particulars requested, the date of the election, and number of voters in each district, as shown by the voters' lists transmitted to His Honor the Lieutenant-Governor.

The qualifications of voters are defined by section 17, 43rd Victoria, chap. 25.

I have the honor to be, Sir, your obedient servant,

A. E. FORGET, *Clerk of Council.*

J. R. HALL, Secretary, Minister of the Interior, Ottawa.

DEPARTMENT OF THE INTERIOR, OTTAWA, 4th April, 1884.

SIR,—I have the honor, by direction of the Minister of the Interior, to inform you that, by an Address of the House of Commons dated the 28th ultimo, referred to him for report, the following information, in addition to that sent under cover of Mr. Forget's letter of the 21st January last, No. 299, is called for, namely:—

1. The number of votes polled by the elected members of the North-West Council.

2. The names of the candidates, and

3. The qualification required of the voters.

I have, therefore, to request you to cause this Department to be furnished with a statement containing these particulars, so that the Address in question may be fully complied with.

I have the honor to be, Sir, your obedient servant,

JOHN R. HALL, *Secretary.*

HAYTER REED, Esq., Administrator, North-West Territories, Regina, NW.T.

*List of the Gentlemen composing, on the 21st January, 1884, the Council to aid the Lieutenant-Governor in the North-West Territories:—*

*Stipendiary Magistrates (Members of Council ex officio):*

Lieut.-Col. Hugh Richardson.

Lieut.-Col. James F. MacLeod.

Charles B. Rouleau.

*Appointed Members:*

Paschal Breland, Esq.

Lieut.-Col. Aitcheson Gosford Irvine.

Hayter Reed, Esq.

*Elected Members:*

Capt. Day Hort, Macdowall, District of Lorne.

Francis Oliver, District of Edmonton.

John Claude Campbell Hamilton, District of Broadview.

Thomas Wesley Jackson, District of Fort Qu'Appelle.

William White, District of Regina.

James Hamilton Ross, District of Moose Jaw.

DISTRICTS.	Date and Year.	Candidates.	Number of Persons entitled to vote according to enumeration.	Total number of Votes polled.	Number of Votes polled by each Candidate.	Members Elected.	Majorities.
Edmonton..... do ..... do .....	March 29, 1883... do 1883..... do 1883.....	F. Oliver..... S. D. Mulkins..... F. Lamoureux.....	535..... ..... .....	262..... ..... .....	154..... 14..... 95.....	F. Oliver.....	46
Lorne..... do .....	June 5, 1883..... do .....	Capt. D. H. Macdowall..... A. E. Porter.....	700..... .....	484..... .....	324..... 169.....	Capt. D. H. Macdowall.....	164
Broadview..... do .....	August 13, 1883.. do .....	C. C. Hamilton..... John Leckie.....	243..... .....	163..... .....	91..... 72.....	C. C. Hamilton.....	19
Qu'Appelle..... do .....	August 13, 1883.. do .....	T. W. Jackson..... W. R. Bell.....	611..... .....	454..... .....	344..... 110.....	T. W. Jackson.....	234
Regina..... do ..... do ..... do .....	August 13, 1883.. do ..... do ..... do .....	Edmond Cars..... W. J. O. Bouchier..... William White..... T. F. Purdy.....	..... ..... 224..... .....	..... ..... 150..... .....	30..... 31..... 89..... Withdrawn.....	William White.....	28
Moose Jaw..... do .....	August 13, 1883.. do .....	John McKay..... J. H. Ross.....	76..... .....	62..... .....	20..... 42.....	J. H. Ross.....	22

The qualifications of voters are defined by section 17, 43rd Vic., chap. 25, which reads as follows: "The persons qualified to vote at such election, shall be the *bonâ fide* male residents and householders of adult age, not being aliens or unfranchised Indians within the electoral district and shall respectively have resided in such electoral district for at least twelve months immediately preceding the issue of the said writ."





## RETURN

(34)

To an ADDRESS of the HOUSE OF COMMONS, dated 7th February, 1884;—For copies of all correspondence between the several Provincial Governments and the Dominion Government respecting the re-adjustment or increase of the Money Subsidies paid, or to be paid, by the latter to the former, in pursuance of the Confederation Agreement, or of any other arrangements since made. Also copies of all Petitions from the several Provincial Legislatures to the Government or to the Parliament of Canada, and of any Memorials received by the latter from the several Provincial Governments, asking for aid or assistance, or money or otherwise. Also a Statement showing all that has been granted in money or otherwise by the Government of Canada to the several Provinces since 1867.

By Command,

J. A. CHAPLEAU,

*Secretary of State.*

Department of Secretary of State,  
Ottawa, 9th February, 1885.

### INCREASED SUBSIDIES TO PROVINCES.

#### *Nova Scotia.*

Increase.

1869—32 and 33 Vic., chap. 2. Increase on amount Nova Scotia shall receive or be chargeable with interest, \$9,186,756.....	\$1,186,756 00
By same Act, section 2.—Additional allowance to Nova Scotia for ten years, from 1st July, 1869.....	82,693 00
1873—By Act 36 Vic., chap. 30. The subsidy to the Provinces of Ontario and Quebec has been increased from \$62,500,000 to \$73,006,088.84, and the Provinces of Nova Scotia and New Brunswick are increased in same ratio, and Act 37 Vic., chap. 3, defines the amount on which the calculation for Province of Nova Scotia is based, viz., \$9,186,756.....	1,544,270 00

#### *Provinces of Ontario and Quebec.*

1873—By Act 36 Vic., chap. 30, the subsidies of the Provinces are increased from \$62,000,000 to \$73,006,088.84. (Nova Scotia and New Brunswick increased in same ratio).....	10,506,088 84
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1874—An Act 37 Vic., chap. 3, to declare the intention of preceding Act.

#### *New Brunswick.*

1873—By Act 36 Vic., chap. 30, the subsidy to New Brunswick was increased (in same ratio as Provinces of Ontario and Quebec), the calculation being based on \$7,000,000.....	1,176,681 95
1873—By Act 36 Vic., chap. 41, an additional subsidy is granted on condition that New Brunswick Government repeals duty on lumber and abandons right to impose it.....	150,000 00



*Manitoba.*

1876—By Act 39 Vic., chap. 3, a temporary grant, annually, of \$26,746.96, to commence from 1st July, 1875, and to continue half-yearly payments to the end of year 1881..... 26,746 96

1878—By an Act 41 Vic., chap. 13, to authorize an advance of \$10,000 in aid of public schools for years 1878-79, 1879-80 and 1880-81, to be repaid with interest at 5 per cent., when lands set apart for public schools are sold..... 10,000 00

1879—By an Act 42 Vic., chap. 2, to receive an additional increase of subsidy of \$15,653.04 from Dominion, payable half-yearly, to commence 1st July, 1879, and continue to the end of 1881..... 15,653 04

1882—By an Act 45 Vic., chap. 5, by reason of the increased population of Province since subsidy was fixed, and the fact that its public lands are administered and the proceeds appropriated by the Dominion Government, the following amounts are now allowed:—

For the support of Government and Legislature, \$30,000..... 20,000 00

On an estimated population of 17,000, at 80 cents per head, \$13,600..... 106,400 00

As an indemnity for public lands..... 45,000 00

The sums henceforward being the sums to be paid by Dominion Government:—

Government and Legislature.....\$ 50,000

On population of 150,000, at 80 cents per head..... 120,000

In lieu of public lands..... 45,000

The above to be the amount payable by the Dominion Government to the Province during the next ten years after 1881, in lieu of the subsidy allowed by Act 33 Vic., chap. 3.

*Prince Edward Island.*

1880—Amount placed in Estimates allowed for maintenance of prisoners in gaols of Province whose sentence is over two years..... 16,589 25

Amount placed in Estimates in full claim, being quarter principal and interest on expense of gaol extension, paid out of unforeseen expenses..... 4,075 20

*British Columbia.*

1874—By an Act 37 Vic., chap. 17, in which it is enacted that in lieu of the guarantee of interest at rate of 5 per cent. per annum for ten years from the completion of the works, on a sum not exceeding £100,000 sterling, required for the building of a graving dock at Esquimaux.

Advances may be made (as per terms of union) by the Dominion Government out of Consolidated Revenue Fund, such advances not to exceed \$250,000.

## NOVA SCOTIA.

## DOMINION DOCUMENTS.

(Private.)

OTTAWA, 6th October, 1868.

MY DEAR MR. HOWE,—Now that the Legislature of Nova Scotia has been prorogued, and the exciting discussions on constitutional questions for a time ended, I think the time has come when I can again ask your aid and influence in endeavoring to allay the feeling that unhappily exists in Nova Scotia, and to give the Union Act a fair trial.

For that purpose, I desire to repeat, shortly, the material portions of the statement that the committee of the convention, of which you were chairman, were kind enough to allow Sir George Cartier and myself to make.

In the first place, I will say, on behalf of the late Province of Canada, that in the question of Union we acted in good faith. The delegations from the several Provinces were appointed by their respective Governments, and we had reason to believe that the Governments of Nova Scotia and New Brunswick as fully represented their people as the Canadian Government did.

I regret extremely the present unfortunate state of affairs, and my colleagues and myself are prepared to do all that we can to put an end to it.

By the despatch of the Duke of Buckingham to Lord Monck, of the 4th June last, in answer to the Address of your House of Assembly, the Governor General and his advisers are precluded from even entering upon the consideration of the question of the repeal of the Act of Union.

His Grace declares that the measure is not only conducive to the strength and welfare of the Provinces concerned, but important to the interests of the whole Empire, and states that the Queen's Government feel that they would not be warranted in advising the reversal of this great measure of State.

He, however, draws the attention of Lord Monck and his Government to the points raised in the Address relative to taxation, the regulation of trade and the fisheries; and he expresses a confidence (which I am sure is well founded) that it will be the care and wish of that Government and of the Parliament of the Dominion to relax or modify any arrangements on those subjects which may prejudice the peculiar interests of Nova Scotia and the maritime portion of the Dominion.

On this point I can only repeat what I stated before the committee, that the Canadian Government is not only ready but anxious to enter upon a frank and full discussion of those points, and are prepared, in case the pressure of taxation should be shown to be unequal or unjust to Nova Scotia, to relieve that pressure by every means in their power. They are also ready to discuss any financial or commercial questions that may be raised by the Nova Scotian Government or yourself, and the representatives of Nova Scotia in the Parliament of the Dominion.

You may remember that I suggested to the committee that Mr. Annand, the Finance Minister of the Province, or any other gentleman or gentlemen selected for the purpose, should visit Ottawa and sit down with the Finance Minister here, for the purpose of ascertaining whether any inequality or injustice exists, the extent of such inequality and the best remedy. And I now reiterate the assurance I then gave, that the Government here will consider the question, not in a rigid, but in the most liberal spirit, with a desire to do even more than justice, for the sake of securing the co-operation of the people of Nova Scotia in working the new constitution. We will enter upon this enquiry whenever it suits your convenience, and the Canadian Government engage to press upon Parliament, with all the influence they possess, the legislation required to carry out any financial readjustment that may be agreed upon.

I am aware that even if the Union Act were accepted, objections are taken by leading politicians in Nova Scotia to some of its constitutional (and non-financial) provisions.

Now, the constitution is a new one, and to a considerable degree experimental, but it seems to me that it should have a fair trial before we pronounce it so defective as to call for immediate alteration—still, that is altogether a matter of opinion.

The proper, indeed the only place for discussing any such changes, is in the Parliament of the Dominion, and the able men who represent Nova Scotia will have full opportunity of pressing their views in their places there.

It is so obviously the interest of the Government and Parliament of the Dominion that the Union should work satisfactorily, that the Nova Scotian representatives may rest well assured of every suggestion of theirs being fully considered. Meanwhile, I would desired to impress upon you the great injury that is caused to the material interests of Nova Scotia by its not being fully represented in the Government of the Dominion, and by the position of isolation assumed by yourself and your co-representatives in the Parliament here. Questions of the greatest importance in the administration of affairs are continually arising, in which Nova Scotia should have a



potential voice—and I may instance the rights of our fishermen, the subject of reciprocity, and other matters of almost equal importance.

The Canadian Government, I see by the anti-Union papers, are charged with an unwise administration of public affairs, so far as Nova Scotia is concerned. All that I can say is, that we act according to the best information that we can obtain, and that if mistakes are made the fault is not ours.

I have already invited you to give us your aid and advice as a Minister, and regret extremely that you do not see your way to taking that position.

I trust that you may be able to do so—the sooner the better. Meanwhile, why do you, and those who act with you, not pursue a course similar to that of O'Connell? He was sincerely desirous of effecting a repeal of the Union between England and Ireland, and, as you know, spared no effort for that purpose. But he did not stand aloof in Parliament. On the contrary, while still preserving his opinions as to repeal, he gave a general support to the Administration of the day, and thereby secured for himself a potential voice in the administration of Irish affairs. At present matters stand thus:—The Canadian Government must either act without advice from Nova Scotia (which is, of course, inadvisable), or consult with those who, it is stated, have not the confidence of the majority of the people, which continues the irritation now existing.

Let me urge upon you to put an end to this unfortunate state of things. In the hope that this might soon be the case, the Canadian Government has, as much as possible, without injury to the public service, postponed filling up the more important offices connected with Nova Scotia, and will continue to do so, although these delays are made causes of attack upon us for neglect of our duties.

I write with the approbation and concurrence of my colleagues, and this letter, although marked "private," and not to be used as an official document, can be shown by you to any friends that you think proper.

Believe me, &c., &c.,

JOHN A. MACDONALD.

Hon. JOSEPH HOWE, Halifax, Nova Scotia.

HALIFAX, 21st October, 1868.

MY DEAR SIR JOHN,—Your letter of the 6th instant reached me a few days ago. I at once informed Mr. Annand of its arrival, but did not ask him to read it or to compromise himself or his colleagues by taking part in the correspondence. The members of the Local Government and Legislature have already, as you are aware, re-asserted their determination to obtain the repeal of the British North America Act, and have sent forward their resolutions and minute of council. They are hopeful that the new Parliament will do to Nova Scotia more substantial justice than the old, and, when the elections are over, may despatch another petition and delegation to England. Heartily desiring, as I do, the repeal of the Act, I must confess that I am less sanguine. I used to believe that in a case involving vested interests, constitutional rights and great sums of money, British statesmen and legislators would do justice, though the heavens should fall. With deep sorrow, and a sense of humiliation not easily described, I now am compelled to acknowledge that I have cherished a delusion.

Whether it be that the British Ministers yield to the representations of the Governor General and to the paramount influence of Canada, or sincerely believe that the interests of the Empire are in some mysterious way, which I cannot discover, bound up with this Confederation; or whether, as I shrewdly suspect, the men who represent the railway and financial interests to be affected by this measure dominate and control both Houses, I apprehend that unless some marvellous change is wrought by the new constituencies, we shall have as little chance of obtaining justice from the new Parliament as we had from the last.

My friends here are more hopeful, and I shall be delighted, should they make a fresh appeal, to find that I have been mistaken.

A new House of Commons may take a more enlightened view of the subject, but Mr. Gladstone, who will be the leader if the Liberals win, has twice spoken and voted

against us. As matters stand, then, we have not a very cheerful outlook, nor are the remedies, which are now freely talked of all over this once loyal Province, pleasant to contemplate. I have for months set my face steadily against revolutionary movements, annexation intrigues, or open resistance to the law, but I will not disguise from you that it may be very difficult to stem the tide of public opinion that a rejection of enquiry by a new Parliament may set in motion, unless in the meantime some large and substantial measure of reparation and justice is offered by the Government of the Dominion.

Holding these opinions, and foreseeing the dangers to be encountered, I am content to take the risk of this correspondence, of which I am quite aware that persons more sanguine of success will entirely disapprove.

I have shown your letter to a few judicious friends here, and shall show it to others, including, of course, the members of the House of Commons, as they come up to town; and I intend to make no secret of the fact that such a correspondence is going on. I am asked every day if I have taken office, or "accepted the situation," as the phrase goes. My answer is, that I have accepted nothing; but recognizing the obligation imposed by the Imperial upon the Canadian Government, I mean to discuss the whole subject with them in a frank and earnest manner. Some of my friends here are apprehensive that the fact of such a correspondence going on will weaken their chance of getting repeal from the new House of Commons. If I thought so I would break it off to-morrow, but as it must close long before the time arrives for making that appeal, I am content to continue it, in the belief that no harm and some good will arise out of a free interchange of our opinions.

Whether we remain united, or ultimately separate, it is of the utmost consequence that the feelings of exasperation which recent events provoked among the people of British America should be allayed. The arrogant, petulant and hasty manner in which this measure was, from the first, forced upon our people, aroused their passions. The visit of the Canadian Ministers here was the first movement in the right direction, and in your letter of the 6th instant I recognize a spirit of fairness which I am prompt to acknowledge.

From the first, we were much alarmed by the financial aspects of the scheme; your assurance that these shall be revised and substantial justice done is very satisfactory. Mr. Annand cannot go to Ottawa, somebody else may, but as the distance is great, we may be able to arrive at common conclusions by a simpler method. Mr. McLelan has already sent to Mr. Rose the substance of a speech which he delivered in the House of Commons last Session. Enclosed you will find copies of a speech made by Mr. Annand.

Glancing over these papers you will perceive that, if not confederated, Nova Scotia could have met all her obligations, and, under her old tariff, have had a small surplus in the treasury. That by imposing 1 per cent. upon imports, we could have raised money enough to keep up our roads and bridges, now left almost without any provision, though our tariff has been raised to 15 per cent., and sundry direct taxes have been imposed. It appears to me that the claim for \$3,000,000 on account of our public works is a fair one, to say nothing of another, based upon the disproportion of our annual consumption per head, and that of your people. I do not wish to trouble you with many figures, or to involve you in financial discussions which can be more easily conducted by others, but I may observe that we ought not to be charged interest on \$622,458 of Province notes, circulated and sustained for years on the public credit. Will you be good enough to ask Mr. Rose or Mr. Langton to examine Mr. Annand's speech and Mr. McLelan's figures, and inform me if the calculations are accurate, or to what extent they agree with them. If there is a *per contra* side to the account let it be sent down.

As this letter is already so long, I may perhaps trouble you with another, on the constitutional aspect of the question. I quite recognize the narrow limits to which you are confined by the Duke of Buckingham's despatch, but we both know that the colonial office would sanction, and Parliament approve, of any changes which experience might suggest, and I would rather discuss these with you in a friendly way



now, because I fear that without the approval of the Government I would have but a small chance to win favor for them in the House of Commons.

I note what you say in reference to my taking office, and to the example of O'Connell. My position is certainly not a very profitable, or a very enviable one, but I prefer to hold it just now. I have been driven into it by a sense of duty and by the force of circumstances which I could not control.

The responsibilities resting on me are not light, and I can only relieve myself of them by maintaining, for the present, a position of personal independence.

As regards the present Government of the Dominion, I did not last winter factiously oppose them. Should I go to Ottawa again (reserving the question of repeal, if there is a chance in our favor) my action would be governed by yours. If you do justice I will give you credit for it.

The choice of the route for the Intercolonial Railroad meets my entire approval, and if you can place our commercial relations with the United States on a satisfactory footing, either by treaty or reciprocal legislation, and arrange the financial aspects of the questions equitably, I think I may safely say that the gentlemen who may go from Nova Scotia to Ottawa would be justified in giving a fair support to your Government.

Believe me, my dear Sir John, yours very truly,

JOSEPH HOWE.

Sir John A. Macdonald, &c., &c.

LONDONDERRY, N.S., 17th September, 1868.

DEAR SIR,—The speech to which you so kindly refer was not reported, but I will state as briefly as possible some of the financial grounds on which I object to Confederation.

1st. Because Nova Scotia imports more dutiable goods per head of the population than any other Province named in the Act of Confederation.

The imports into Nova Scotia for home consumption, say in 1867,\* were \$39.50 per head. The same year into Canada, after deducting coin and bullion, military stores, &c., not included in imports in Nova Scotia, they were only \$20.00. Hence, applying one tariff over all, the amount collected per head in Nova Scotia will greatly exceed that in Canada.

Circumstances will occasionally vary this. An abundant grain crop in Canada, with high prices, will increase the funds at the disposal of your people for the purchase of imported goods, whilst a failure of the fisheries, and of the mining and shipbuilding interests in Nova Scotia, will diminish ours. I made, some time ago, a comparison of the income available for the purchase of goods of the two Provinces from the exports in five of the principal branches of industry for the year of the last census, viz.

BRANCHES OF INDUSTRY.	Value in Canada.	Per	Value in N. Scotia.	Per
	Pop. 2,507,647.	Head.	Pop. 330,857.	Head.
Agriculture.....	\$14,259,225	\$5 66	\$ 786,526	\$2 37
Mines .....	558,306	0 22	658,257	1 98
Sea .....	833,646	0 33	3,094,449	9 35
Forest .....	11,012,363	4 36	767,136	2 31
Shipbuilding, 1863.....	3,000,000	1 19	2,000,000	6 06
		\$11 76		\$22 07

\* Error in figures; should have been 1866, the returns for 1867 not having been published in Nova Scotia.

Giving to each Nova Scotian \$22.07, and to each Canadian only \$11.76; the difference, I apprehend, will be found equally great in subsequent years, until the abrogation of the reciprocity treaty with the United States. You may safely assume, as a rule, that our people, mainly engaged in fishing, mining and shipbuilding, will import more largely than yours, differing so much in geographical position, occupation and habits. As Confederation gives free trade with Canada in manufactured goods, part of our wants will be supplied there, but, in many cases, at as high a cost to the consumer as if imported elsewhere under a 10 per cent. tariff, the only benefit being to the Canadian manufacturer.

2nd. Because it increases our tariff and taxes.

Considerable discussion has taken place respecting the extent of this increase, and the necessity for it, supposing the Confederation Act had not passed.

You will see, however, that no matter to what extent the tariff may be increased under the Act, and supplemented by stamp taxes, all we are released from is the difference in the interest we paid the year previous to Confederation, and the interest on eight millions, which, counting provincial paper and savings bank, will be \$121,213, and cost of management, say \$5,000 more; now, whilst only relieving us from this you increase the tariff largely, impose new taxes, and also reduce our average sum for local services over \$200,000, as I shall presently show. You will say that we have our section of Intercolonial, from Truro to the border, built.

True, but the present rate of duty does not provide for that service, and either you must depend upon a further increase, or the natural increase of revenue by the time expenditures are made, which we could have calculated upon ourselves.

We had the road under contract for a subsidy of \$120,000 a year, for twenty years, equal to a permanent tax of, say \$80,000. So that all we have for the increase of tariff, stamp tax, newspaper postage, and the growth of the country and its natural increase of revenue, is difference in interest on eight millions (part provincial paper), and amount (paid) in 1866, which is..... \$121,213

Cost of exchange and management..... 5,000

For subsidy to road from Truro to Amherst..... 80,000

•  
Less amount Confederation reduces our local grant.. \$206,213  
202,000

Leaving only..... \$ 4,213

A sum so insignificantly small that you cannot be surprised that we are willing to submit to it.

3rd. On account of the arrangement of debt.

The Act bases the amount of debt given to each Province on the population, allowing Canada \$62,500,000 or \$24.92 per head; New Brunswick seven millions, or \$27.77 per head; and Nova Scotia eight millions, or \$24.17 per head, placing Nova Scotia 75 cents per head under Canada, or, for her population, in all \$248,142, and a very much greater sum below New Brunswick—a departure from this basis of adjustment to the loss of Nova Scotia. You may have, at the Quebec adjustment, estimated the population by the rate of increase previous to the last census, but I am quite certain that, with the discovery of gold, the great increase in coal mining and all other branches of industry in Nova Scotia, from 1860 to 1866, her population increased as rapidly as in any other Province.

Population alone, however, is not sufficient as a basis; a consideration should be had to the income—to the revenue.

Taking the income from Customs and Excise in 1863, the year just preceding the adjustment of the Quebec scheme, and allowing Nova Scotia eight millions debt, Canada should only have..... \$54,475,000

1865..... 53,163,000

1866..... 59,200,000

This is without making any allowance for an increase of tariff to Nova Scotia.



Taking an average of revenue, and allowing for the increase of tariff, the debt allowed Canada should not have exceeded \$50,000, or if 62½ were allowed her, ours should have been 10 millions at least. There is also a difference, and we claim an injustice done us, in value and amount of the assets supposed to offset the debt of each Province. Your total liability is shown by your returns of 1867 to be \$88,444,890. This you propose to reduce to \$71,200,000, which will take \$17,244,890 of the best of your assets; then Ontario and Quebec having to assume \$8,700,000, they have, in schedule 4th to the Act, assigned to them \$12,046,888, leaving to offset \$62,500,000 but \$58,153,122.

Then of this balance, over 30 millions yield no return whatever, and the remainder only about three fourths per cent. In the assets yielding this return you have enumerated harbor piers, lighthouses, and roads and bridges; total \$4,442,295.

Now, we have as many lighthouses as you; we have every year expended large sums in improving harbors, building piers and breakwaters, and in the last ten years we have expended by Government \$1,603,000 on our roads and bridges, so that we have in assets of that class an amount equal to you, which, calculating by the difference in population, fully offsets all yours yielding any revenue: That is, we have public property outside of that, representing our debt equal by population to all of yours yielding a return, leaving our railways and some other public property in your hands without an equivalent.

When we commenced the construction of railways our debt was only \$678,835. These works, with some public buildings, brought it up to nearly nine millions, exclusive of the "right of way" paid by the counties through which the railways pass. In assuming eight millions of this debt you have, as we claim, taken our railways and many other public works, without giving a return. It may be said that our railways have not paid interest; but you should bear in mind that the connections to furnish traffic are only being completed. The fifty-two miles to Pictou runs into an inexhaustible coal region, taps the trade of the Gulf, and will facilitate intercourse with Canada. The branch to Windsor, 35 miles, connects with the Windsor and Annapolis Railway, now building, under subsidy from us, which, when finished, must add largely to your receipts; and then the main line from Halifax to Truro, 62 miles, will form so much of the Intercolonial, and be as good to you as the sum it cost to build—as the Act declares that you must connect Halifax and the Gulf of St. Lawrence. Had we left this section of the Intercolonial to be built by the Dominion Government, the cost of construction placed at the credit of Nova Scotia would greatly assist the Local Government in meeting calls upon it. Should you take the section of road building from Moncton to Nova Scotia, lines under subsidy from the New Brunswick Government, you will most probably return the subsidy, or a great portion of it to New Brunswick, and thereby reduce her indebtedness.

Our claim to a return of the cost of the section of the Intercolonial, 62 miles, rests on as strong grounds as theirs, but we hold we have a right to the returns of all our railways, you not giving, in Dominion property, an equivalent. There is another consideration worth mentioning here; after it was known that the Confederation Act would pass the Imperial Parliament, we gave a subsidy of \$1,103,000 to extend the railway from Windsor to Annapolis, which will largely help to make the Government 45 miles from Windsor to Halifax, paying property. This might have been left; its claim upon the Dominion for aid was stronger than any public undertaking, except the Intercolonial, which we shall have in Nova Scotia for a very long period. Whilst you have railways to extend, canals to build and others to enlarge, requiring almost unlimited sums, and considering your power in the Dominion Parliament, it is not exceeding probability to say you will provide for them as soon as possible. Last Session you cancelled some three or four millions for votes of old Canada, and among them a million for defence, stating that as the money was undrawn you would provide for the services when needful out of Dominion funds. Had we not some claim to have a liability such as this, unexpended and undrawn, treated in a similar manner? It is, however, left upon our shoulders, reducing by \$55,000 the sum allowed us for local services. Another financial objection, and the

ne which bears heaviest with many, is the want of a sufficient sum for local services. The people of this Province have always been accustomed to have most of their local public services provided for out of the general revenue. There is a perfect network of roads, with thousands of bridges, all over the Province, unobstructed toll gates, and mainly kept up by public grants, as also many other local services.

As soon as it was demonstrated that the sum for local services would be very much less under Confederation than we had been accustomed to, and that those services would have to be sustained by direct taxation, the hostility to Confederation was largely increased. But your people were shown that Confederation would give them an increase of local funds, and, no doubt, it largely influenced their assent.

The amount of our annual local expenditure has been from five to nine hundred thousand dollars, say an average of \$658,000.

Mr. Galt gives the average of your local expenditure previous to Confederation, \$2,021,979, but note how largely it is increased. The assets in schedule 4th, exceeding by \$3,346,888 the debts assumed, gives a balance of income, after paying interest,

of.....	\$ 89,761
Subsidy, 80 cents per head, and \$150,000.....	2,156,121
Local revenue, as given by Mr. Galt.....	1,297,043
	<u>\$3,542,925</u>

Making an increase for local purposes under Confederation of..... \$1,520,946

Mr. Galt, however, placed the local revenue much lower than the estimates shown by the Finance Ministers of Ontario and Quebec, viz:—

Ontario.....	\$2,077,267
Quebec.....	1,754,333

Total for local services..... \$3,831,600

Being nearly double the amount of the average grant previous to Confederation. With us it is just the reverse, instead of having an average expenditure for local purposes of..... \$658,000

We have subsidy and bonus.....	\$324,000
Local revenue .....	132,000
	<u>456,000</u>

Deficiency..... \$202,000

It is true that a larger sum than this has been appropriated this year, but it is from arrears belonging to the year previous, which are not ordinary revenue, and should have been appropriated to the reduction of the debt of the period to which it belonged. The tendency of all Governments is to expend all moneys passing through their hands, rather than pay off debt. I am quite sure that you will say that it was well that it was done in this case, for had our Local Government confined their appropriations to the net sum Confederation gives, and provided by Bill, as they must do eventually, for raising by taxation on the counties the balance required to sustain local services, you would, in less than six months, see Nova Scotia out of the Confederation, or only conciliated by British bayonets.

But to return to the local revenues, you will see that the case stands thus: Canada gains by Confederation \$1,520,946, or, by latest estimates, nearly \$2,000,000, whilst Nova Scotia loses over \$200,000. It is, therefore, not surprising that the people of Canada assented to Confederation, but it would have been surprising, other things being equal, had the people of Nova Scotia consented to it. It is with peoples as with individuals, they feel more keenly the loss of those benefits they have long enjoyed than the failure to secure new ones.

That Nova Scotia did not consent to the Act of Confederation, that she struggles to be released from it, is mainly because she believes it takes away her old, long enjoyed and valued possessions, without returning an equivalent. The people feel that they are called upon to give up a large portion of the sum from which they have



hitherto sustained their local services, and whilst unwilling to do this, they ask what concessions are the people of Canada making for Confederation, and when you fail to show that it is an Act of mutual concessions—when you cannot place your finger upon a single right or privilege, or dollar of money, that you concede, they naturally and determinedly rebel against a surrender of at least one-third their average allowance for local purposes.

It is Burke, I believe, who says very truly, that “all good Governments, indeed every human benefit and enjoyment—every virtue and every prudent act, is founded on compromise and barter,” and until you are able to demonstrate to our people that the surrender of so great a part of their local expenditure is the exchange given for some equally valuable concession by Canada, you must not hope to conciliate Nova Scotia.

It is claimed by your friends here that your expenditures in Nova Scotia during the past year have exceeded your income. I have not the means at hand to investigate this; but suppose it is so, you must not forget that this is with Nova Scotia an entirely exceptional year. Trade is almost suspended, and importations greatly reduced, and it is not improbable that it may also be exceptional in the liberality of your expenditure.

You should also bear in mind that three-fourths of the importations from foreign countries were under the old tariff, whilst in the whole year, from Canada, they were free of duty.

If it be that the expenditure for the whole Dominion has exceeded the whole income, you will not, of course, use any deficit there may be in Nova Scotia to the prejudice of our case.

But supposing you continue to expend more than your receipts in Nova Scotia, even under the higher tariff, our people will be slow to believe that the fault is in Nova Scotia, but rather attribute it to the more expensive system of management attendant upon Confederation. It was not the fault of Pharaoh's well-favored kine that they did not improve the condition of the seven that devoured them.

The question with our people is not so much whether Canada is better or worse for the connection, as it is what effect has it upon Nova Scotia! And, when another year shows the answer plain and unmistakable, that our annual appropriation, which was felt in every section and by-road of the Province, as you will see by reference to the road scales in our journals, is suddenly withdrawn, and the only mode of replacing it is by direct taxation upon the districts, the hostility to Confederation will assume a more active and urgent form than it has hitherto. No matter what may be said to the contrary, I affirm that all through the contest the feelings of the people have been in advance of the politicians, and the universal desire was for the Local Legislature to take a stronger and bolder line of action.

But having decided to repeat constitutional means, it was well that they supplemented the expenditure by so large an appropriation belonging to the period anterior to Confederation, as, should we, in the meantime, obtain our reasonable request, and be permitted quietly to return to our old political position, the sense of wrong, and the bitterness it engenders will not, I trust, have sunk too deep into the hearts of the people to be removed.

In thus confining myself to that part of our case referred to in your letter, you must not suppose that it is solely on financial grounds we object to the Union Act. It is unnecessary to refer to others at present, and I only hope that what I have said may assist you to the conclusion that we are justified in opposing Confederation.

I have the honor to be, yours truly,

A. W. McLELAN.

Hon. JOHN ROSE, Minister of Finance, Ottawa.

## REPORT OF MINISTER OF FINANCE.

*Strictly confidential.)*

MY LORD,—In compliance with your Lordship's request, I have now the honor to submit the result of the investigations into the financial position of Nova Scotia, as effected by the Union.

The primary object of the enquiry was to ascertain whether the burdens on the people of Nova Scotia are greater now than they would have been had no Union taken place, and subsidiarily to contrast the position of that Province with other sections of the Dominion, in order to see whether the financial arrangements, as settled by the Union Act, operate any relative injustice towards them.

I have felt that these investigations, to be of any value, ought to be conducted with judicial impartiality, and that all the facts must rest on the basis of official returns.

Having personally had no participation in settling the financial provisions of the Union, I was able to enter on the enquiry without any preconceived impressions of the justice or otherwise of these provisions.

I have also endeavored to obtain an accurate comprehension of the main causes of complaint, and to weigh them fairly.

It would serve no good purpose to encumber this report with special allusion to all the different minute points of objection which have been taken against the arrangements, or to review the arguments by which it is sought to prove the adverse effect of each separate feature in the scheme on Nova Scotia.

These were presented in the course of the first Session by one of the ablest members from the Province of Nova Scotia, and were repeated by the Provincial Treasurer in a debate in the Legislative Council in the month of September last.

I have been favored with an epitome of them by these gentlemen, and while it will be seen that the points they have raised have been fully considered, and are remarked on in detail in the schedules attached to this communication, I have thought it better to confine my report to the general results, rather than complicate it by attempts to discuss the justice or otherwise of each individual item in the accounts.

Great difficulty has arisen from the imperfect, and, in some cases, inaccurate character of the returns, to which reference had to be made; and while I believe the general results cannot be seriously affected, I ought not to withhold the expression of my doubts of the perfect reliability of the only data available.

I desire specially to guard myself against being precluded from modifying the conclusions I now convey, should I have evidence hereafter of the erroneous character of these data. I ought also to say that the ultimate practical effect of the fiscal changes on Nova Scotia cannot, for the present, be other than conjectural, because, in the first place, the changes created in the character of the trade are already very great; in the second, the statistics show, and that but imperfectly, what those changes have been only up to July last; and in the third place, it is obvious, both as a matter of reason and in the light of the experience we already have, that the ultimate and permanent effect cannot be ascertained at the threshold of the Union.

While it was obviously desirable that the questions to be determined should be as few and simple as possible, it was equally so that the result should be tested in a variety of ways, and that all the data on which these results depend should be submitted for reference.

The leading principles on which the financial arrangements of the Union Act seem to have been based were to allow each Province to enter the Union with a certain amount of debt per head of the population, as assumed at the time of the Union, according to an estimated percentage of increase since the last census in 1861; to pay each Province an annual subsidy of so much per head on the population, as ascertained by the census, and on any excess of debt which either might be found to owe, to charge interest at the rate of 5 per cent., deducting the amount from the annual subsidy.



Certain public works belonging to each Province were transferred to the Dominion, while certain others were reserved as provincial property.

### 1.—*Objections by Nova Scotia.*

Nova Scotia, however, disputes the justice of these rules, when practically applied to her circumstances, contending, firstly, that population should not have been admitted as the sole basis, either of establishing the debt or payment of the subsidy, but that the extent of previous contribution by each Province to the revenue should also have been considered; that even if the basis of population were just, the estimate of the numbers is unfair to Nova Scotia, because the percentage of assumed increase to her numbers since the census of 1861 is less than allowed to Ontario and Quebec, and below what it should have been; secondly, that Ontario and Quebec, forming the old Province of Canada, possessed productive assets, which were retained by them as their own property, that these assets represented their debt per head, and being apportioned between them, brought in revenue that not only prevented their being affected by the stipulated deduction for any excess of debt, but were actually available as sources of additional income beyond the amount contributed by the Dominion treasury; that Nova Scotia possessed no corresponding class of assets, or, if she did, that they were, by the Union Act, taken possession of by the Dominion. She further contends, that apart from these considerations of relative injustice, the practical effect on her has been, that whereas her tariff on imports, from which nearly the entire revenue was derived, and which was the only burden on the people, was, on an average, less than 10 per cent. *ad valorem*, it has now been raised to upwards of 15 per cent.; and that there have been superadded; 1st, duties of excise; 2nd, a stamp tax; 3rd, a tax on bank circulation, and 4th, additional postage on newspapers.

The hard-ship resulting from the nominal increase in Customs is, as is urged by Nova Scotia, further aggravated by the fact that, whereas her products chiefly consisted of ships, lumber, fish and coal, she had to dispose of these abroad, and consequently had to import nearly all her articles of consumption from foreign countries, thus causing her population to pay a higher sum per head in duties than the people of any of the other Provinces, that therefore the increased duty in customs is one which peculiarly affects her exceptional position, and that the nominal percentage of increase does not represent the real addition to the burdens on her people.

It is further urged, that notwithstanding this increase on her burdens, the total amount to be received by her from the Dominion treasury, and from the provincial sources of revenue, and the assets reserved to her, fall far short of what she formerly had, and are less indeed than is necessary to carry on the Government, and provide for the local services which the new constitution has assigned to her.

A variety of other objections have been urged from time to time, in detail, against the financial provisions of the Union, but I think they are comprehended in those I have stated, viz. :—

1st. That the principle of allowing each Province so much debt per head, and paying each a subsidy per head, ignoring the tax-paying element, operates practical injustice to Nova Scotia in the circumstances in which she stood, and that even that principle, supposing it to have been just, has been unfairly applied.

2nd. That in the appropriation by the Dominion of public works situate in Nova Scotia, as well as of her local assets, and the reservation to Ontario and Quebec of revenue-yielding properties and works, there is relative injustice to Nova Scotia.

3rd. That Nova Scotia is not only subjected to increased taxation, but that the principles on which that taxation is imposed operate with special injustice to her; and

4th. It is asserted, that if there had been no Union, and Nova Scotia had raised her tariff to the extent since done by the Dominion Parliament, it would have produced sufficient to have met her increased liabilities, provided for her local services and left a surplus beyond; whereas, as is contended, notwithstanding that increase,

revenues left at her disposal are inadequate to meet the services she has custom-ly provided for.

## 2.—Object and effect of Accompanying Statements.

The statements which accompany this report have been prepared with a view ascertaining how far the calculations on which these various grounds of complaint are supported by facts.

It would be beyond the limit of my duty to offer any further comment on these statements than is necessary to point out to Your Lordship what they may or may not establish, and in what respect I believe they ought to be taken with reserve.

It is, however, proper to state that the gentlemen engaged in the preparation of them were instructed, as the various features affecting the results came up, to deal with them all, not with the aim of endeavoring to prove the equity of existing arrangements, but rather in a spirit of critical examination, with the view of discovering in what way the several incidents might possibly be unfair to Nova Scotia. That duty, I believe, has been faithfully performed.

It will be convenient first to advert to those points which would seem to admit of little reasonable doubt; and, bearing more especially on the 3rd and 4th grounds of complaint, they are:—

(a.) That there was an increase in the taxation imposed on Nova Scotia after the Union.

(b.) That that increase was chiefly in Customs duties.

(c.) That previous to the Union, Nova Scotia received considerably more per head of imported goods, both dutiable and free, than the rest of Canada, and paid more per head of duty on imports.

The statement I (Appendix I) shows that the value per head of total imports for the last 5 years, was:

	Canada.	Nova Scotia.	New Brunswick.
1864 .....	\$17 07	\$34 25	\$35 49
1865 .....	15 89	39 55	28 05
1866 .....	19 38	39 37	39 68
1867 .....	20 99	34 52	30 03
1868 .....	21 59	23 28	22 90

That the value of dutiable goods per head during the same period in Nova Scotia and Canada (the returns for New Brunswick being incomplete) was:

	Canada.	Nova Scotia.
1864 .....	\$11 41	\$21 42
1865 .....	10 09	21 42
1866 .....	13 27	28 05
1867 .....	14 25	22 33
1868 .....	13 88	18 83

That the duty paid per head, was:

	Canada.	Nova Scotia.	New Brunswick.
1864 .....	\$2 44	\$2 92	\$3 67
1865 .....	2 26	3 14	2 83
1866 .....	2 92	3 76	4 11
1867 .....	2 80	3 32	4 17
1868 .....	2 84	3 21	3 27

It is, however, to be remarked, first, that the estimates of the years previous to the Union are based on a higher rate of duty than that which existed in Canada at the time of the Union, inasmuch as the tariff on unenumerated articles was reduced in the Session immediately preceding the Union from the *ad valorem* rate of 20, to that of 15 per cent; while many articles formerly paying 10 per cent. in Canada were made free; and secondly, that the rate since the Union is only an



estimate, and probably an imperfect one, inasmuch as there have been two changes in the tariff, one in December, 1867, and another in April, 1868, and that the latter change had special reference to articles consumed in Nova Scotia, such as breadstuffs, shipbuilding materials, &c., from nearly all of which the duties formerly existing were entirely removed, while the tonnage dues on shipping, formerly imposed by her, have also been repealed. The returns are not yet all complete, and this statement is to be regarded as approximate only.

That there was a sensible reduction, however, in the percentage of Customs, is proved by the fact that the returns of the first nine months subsequent to the Union show an average reduction in Customs on the value of dutiable goods of 3 per cent., as compared with the rate in Canada previous to the Union, and an analysis of the tables (statement J) of imports into Nova Scotia, will show that a large proportion of the articles which formerly paid duty are produced in Canada, and will now be available free to the consumer in Nova Scotia. Keeping these considerations in view as affecting the comparison of the figures of former years, my further observations of their effect as bearing on objections Nos. 3 and 4, will be found in a subsequent portion of this report.

### 3.—*Division of Debts and Assets.*

The objections taken to the appropriation and the division of the assets and local revenues among the various Provinces, and by which it is alleged the interests of Nova Scotia were injuriously affected, have a necessary bearing on the fairness or otherwise of the principle stated in the first ground of complaint, viz.: that an equal *per capita* assumption of debt and payment of subsidy works unfairly to that Province, which, as is averred, paid more in Customs, had no sources of local revenue, and to which no allowance was made for the public works of which the Dominion denuded it.

It will therefore be convenient to consider these two objections together.

Your Lordship will see that it was not unnatural that misconception on this point should exist in Nova Scotia, even among the best informed of the public men, since they derived their information wholly from the published accounts of Canada, and could not be expected to be aware that many of the items in those accounts represented liabilities on one side and assets on the other, which were purely nominal, but which were brought forward from year to year for book-keeping reasons only.

Ascertaining the strength of this misconception, I caused the communications already alluded to, in which these points in the case of Nova Scotia are strongly dwelt upon, and all others within my reach, in which any facts that seemed to call for explanations were stated, to be referred to the Auditor-General, and in paragraphs II to V, inclusive, of his report, will be found clear and exhaustive explanations shewing the extent to which the adjustment of the debts and the apportionment of the local assets affect each Province.

This statement is specially valuable, because in it the Auditor-General summarises all the objections taken by Nova Scotia, and furnishes such answer to each as the real state of the facts warrants. It will be seen from that statement that the true debt of Canada is not, as is supposed, \$88,000,000, but only \$72,000,000, and that there has been no appropriation of any assets by Canada to effect the reduction from the former nominal to the latter true figure.

It is believed that this explanation of the true amount of debt will be satisfactory, and supposing, as Nova Scotia desires, that the element, not of population alone, but of contribution to the revenue as well, ought to have been considered in settling a basis for the amount of debt which should be allowed to Nova Scotia, it is obvious that the contribution of Canada, in the way of Excise as well as Customs, should be taken into account.

Adopting this view and taking the average of  $3\frac{1}{2}$  years anterior to Confederation, Nova Scotia would have been entitled to \$303,000 more of debt than is allowed her. But if the revenue derived by both Provinces from all sources be considered, it would only

have been \$130,000 more. The calculations made by the Auditor-General in paragraph I would seem to bear out these results.

As to the actual character and distribution of the assets, I would call your Lordship's attention to paragraphs IV and V in the Auditor's report, which will serve to elucidate the more general terms of my observations.

#### 4.—*Local Revenues Reserved to Ontario and Quebec.*

It will be seen that the chief sources of local revenue and the productive assets apportioned to Ontario and Quebec consists of:—

- (a.) Crown lands and the arrears of money due on them.
- (b.) Certain funds, such as the Upper Canada building fund, common school, and other educational funds, &c.

The funds enumerated under (b) undoubtedly yield a considerable revenue, but this cardinal point is to be kept in view in weighing the advantage which the payments on account of them confer on Ontario and Quebec, viz.: that they constitute, in great part, the excess of debt over the 62½ millions allowed to Canada, and that though the interest on them is paid by the Dominion to certain persons and public bodies in Ontario and Quebec, yet an equivalent amount is deducted from the subsidy payable to these Provinces on the excess of debt.

In other words, the excess of debt is mainly created by these trust accumulations; and it would be the same to Ontario and Quebec if they were not paid these revenues, since they would in that case receive the amount, by way of subsidy, which is now deducted to meet the interest on this excess of debt payable to themselves.

They are not a distinct source of revenue over and above the subsidy, but what Ontario and Quebec receive on these trust moneys they lose on the subsidy.

Thus the total debt of Ontario and Quebec is estimated at about \$72,500,000, the excess on which interest has to be paid being \$10,000,000, or \$500,000 per annum; while the interest payable on trust account to Ontario and Quebec is \$312,630 per annum.

The Crown lands and the arrears due on them cannot, however, be regarded in the same light. True, Nova Scotia retained her lands as well, but it is asserted that they are of less relative value.

In order to show what the total revenues of each Province, as well from Dominion as from local sources, will be, a statement has been prepared, which it is believed approximates nearly to the actual fact. That statement (Appendix No. III) is based on the receipts of the last three years and on the assumption that in Ontario and Quebec, of the undistributed Crown land revenues,  $\frac{2}{3}$  belong to Ontario and  $\frac{1}{3}$  to Quebec. It shows the following results:—no deduction being made for excess of debt of any of the Provinces.

Revenues from all sources, Dominion as well as			
	Provincial, per head in Ontario.....	\$1 69	per head.
do	New Brunswick.....	1 65	do
do	Quebec.....	1 62	do
do	Nova Scotia.....	1 36	do

This statement, it will be perceived, includes the revenue from the various local taxes as well, such as from law proceedings, marriage licenses, &c., &c., and which, as they are imposed and paid by the people themselves in the several Provinces, can hardly be regarded as revenue-producing assets distributed by the Union Act, though the power to continue to raise them is conferred on the several Provinces. If that power were not exercised the local revenues would be so much less.

This, however, being matter of argument, and there being several kinds of provincial revenue derived from local sources which do not all stand on the same footing, and with respect to which an honest difference of opinion might exist, I have caused a further statement to be prepared, showing the results on all the hypotheses which can arise.



The one which would seem most fairly to embrace the real justice of the case is that which, after deducting the interest on the estimated excess of debt and the revenue from purely local taxation, gives the following results:—

Net revenue per head Ontario.....	\$1 40
do do Quebec.....	1 28
do do Nova Scotia.....	1 19
do do New Brunswick.....	1 46

If the hypothesis contained in this statement be adopted the total revenue of Nova Scotia, estimating her population at 330,857, would be \$69,480 less than if she had the same per head as Ontario. Reference is made, in connection with this statement, to paragraph X of the Auditor's report.

#### 5.—*Railways and Public Works.*

It is objected, moreover, that the Dominion has appropriated the railways belonging to Nova Scotia, and that as Canada has no railways, and made no corresponding contribution to the Dominion, the cost to Nova Scotia of these works should either not have been included as part of her debt or else she should have been allowed to retain the roads as her own property.

The answer to this argument, it is believed, will be found in the following facts:—

1st. That Canada having adopted a different system from Nova Scotia, viz., that of making advances to companies to build railways, instead of building them herself, Canada brings into the Union and gives it the benefit of more mileage of railways in proportion to the population and debt incurred, than Nova Scotia does, viz.: 1 mile to every 1,274 souls, at a cost to the public of \$10.77 per head, whereas Nova Scotia brings in but 1 mile for every 2,279 souls, at a cost of \$19.04 per head.

If the canals and other public works of Canada yielding revenue are included, as it would seem but right they should, it will be found that the charge for public works per head is, in Canada, \$18.61, whereas in Nova Scotia it is \$19.04.

2nd. Canada makes a direct contribution of railway property, not, it is true, in the works themselves, but in what is more valuable, in securities bearing a first charge on productive roads, and which securities Nova Scotia and New Brunswick claim, shall become the absolute property of the Dominion, without any allowance to Ontario or Quebec in reduction of their debt for what may be realized from these claims, viz.:—

A. Due by Great Western Company. A good asset.....	\$3,731,395
B. Due by Northern Company. A good asset.....	274,310
C. Due by Grand Trunk Company. A good asset.....	243,406
D. Other claims which are not now, but may hereafter become valuable, viz., the advances to the Grand Trunk Railway and Northern Railway, of the nominal sum, exclusive of interest, of.....	17,454,300

The whole question of the railway property, which has formed the subject of anxious and unprejudiced consideration, will be found fully discussed in paragraphs 6, 7 and 8 of the Auditor's report.

#### 6.—*Financial Position of Nova Scotia as a separate Province.*

Having adverted to those features in the Union Act apportioning the property and assets which may be supposed to be adverse to Nova Scotia, it is now proper to notice the position she would have occupied alone, and to consider whether there is more drawn from her than the Union has to pay for her; and whether she has been left sufficient local revenues for her provincial wants.

From the statements noted below, it may be assumed as certain:

(a.) That the debt of Nova Scotia was steadily augmenting;—(App. 1, Statements A, B, C.)

(b.) That in each of the three years preceding the Union there was, besides the augmentation of her debt, an increasing deficit between revenue and expenditure;—(Statements D and G.)

(c.) That if there had been no Union, or if Nova Scotia were now to go out of the Union, she must provide for that deficit to the extent of from \$300,000 to \$400,000 per year at least.—(Statement L.)

Statement A shows that her debt augmented, and the increased charge for interest, were as follows:—

1864, Debt, \$4,846,146	Interest 1864, \$183,776	Surplus 1864, \$ 68,427
1865 do 5,176,185	do 1865, 278,875	Deficit 1865, 52,491
1866 do 6,032,016	do 1866, 309,145	do 1866, 176,820
1867 do 8,026,117	do 1867, 382,306	do 1867, 332,790
1868 do 9,288,121	do 1868, 506,787	do 1868, 359,087

This statement, it is believed, rests on official data, and attention is called to the abstracts referred to in it, by which its accuracy would seem to be satisfactorily proved. It is also to be noted that it rests on the assumption that notwithstanding the annual deficit and the increase in her debt, she could have obtained the new loans she needed at the same rates of interest as before. This she could hardly have done, for I find that on the last operation she attempted in 1865, the financial agents report their inability to effect a sale of Nova Scotia bonds, while after the Union, and charged on the revenues of the Dominion, these same bonds were readily disposed of at par.

The important questions raised by the Provincial Treasurer of Nova Scotia, as bearing on the position of the Province had she remained separate, have been stated logically and clearly. He states:

1st. That had Nova Scotia stood alone and adopted the Dominion taxation there would have been a surplus of \$223,282.

2nd. That had she put 1 per cent. on her old tariff and reduced certain items on her expenditure, which he considers might have been effected, she would have had a surplus of \$187,568 applicable to her road and bridge service.

3rd. That by the exercise of further economy she might have left her old scale of taxation in force, and she would have had \$67,541 available for roads and bridges.

The data, however, on which his conclusions rest are, it is believed, inaccurate in some of the details, and altogether fallacious in principle. He adopts, as his basis of computation, the revenue and expenditure of the years 1862-3-4-5 and 6. But this essential fallacy underlies his argument, viz.: That the expenditure in Nova Scotia had not got to its normal state until after the year at which his comparison stops. The point of expenditure which Nova Scotia had actually reached is susceptible of positive demonstration, and ought not to be dependent on a comparative estimate with former years.

I have caused an analysis of his figures to be made, and even assuming his estimate of revenue to be accurate, which it is believed is in excess of the fact, the result shows:

1st. That the real expenditure is understated by \$596,534.

2nd. That instead of there being a surplus if the Dominion tariff had been adopted by Nova Scotia alone, of \$223,282, there would still have been a deficit of \$373,302, which she must have made good in some other way.

A full reply to the propositions of Mr. Annand will be found in Appendix II.

#### 7.—Effect of Union on Financial Position.

Having thus adverted to the position which it is believed Nova Scotia would have occupied alone, I proceed to consider whether the Dominion has drawn more from than it has paid on her account.

It appears by Statement E that whereas there was received from her in the first year of the Union, as ordinary Dominion revenue, \$1,504,910, there was paid on her account, as ordinary Dominion expenditure, \$1,173,173, or, including subsidy, \$1,506,759.



But in this statement no charge is made against Nova Scotia for her proportion of the cost of the General Government, which, divided according to population, would be about \$117,043, making an excess of Dominion outlay beyond Dominion receipts of \$118,892, or withholding the interest on the excess of debt, a net excess of \$100,563.

The total receipts in Nova Scotia, as well from the taxation of the Dominion as from the sources of revenue reserved to herself, were \$1,738,733, whereas the total payments made by her, and on her account, were, on ordinary services, \$2,097,821, exclusive of \$845,569, which was advanced for public works or on capital account—showing a gross excess of payments over receipts of \$1,204,657.

It is true that a large amount of this is on capital account, but the strain to provide for it would have been a serious one had she stood alone; for, after deducting all that could be chargeable to capital, there would have been a deficiency of \$359,087, and this notwithstanding that the Dominion tariff was in operation for seven months of the year. To this sum must be added certain items (Statement L) on account of debt, which would increase the ordinary deficit on the year to \$390,840. Had Nova Scotia remained under her old tariff the deficit would have been greater, and would have required a further loan over and above what she might have contracted for her new works, exceeding 34 per cent. on the Customs duties of the year.

#### 8.—*Local Revenues and Expenditure under Union.*

Next, as to the question of local revenue and expenditure :

The great items of local expenditure in Nova Scotia are for education and road service, and the diminution of these, as they affect every locality and individual, is calculated to create a dissatisfaction which the large outlay, now provided for by the Dominion on heavy works in particular localities, does not counterbalance.

It will be seen (Statement F, Appendix I), that the average expenditure for the  $3\frac{1}{2}$  years ending June, 1867, on local services, has been \$766,569, while the average income from the sources reserved to Nova Scotia to meet those services is but \$161,331, which, adding the gross subsidy, would be \$494,912, leaving a deficit of \$271,657 to be supplied by direct taxation.

In the year ending June, 1868, the local revenue (including the subsidy without deduction for excess of debt) was \$567,405, while her total expenditure was \$924,643, or excluding a payment in reduction of debt, \$868,293, thus showing a deficit on ordinary account of \$300,898; or, including this payment, \$357,238.

For the calendar year ending December, 1869, the estimate, as furnished by the Local Government, and including arrears, is: revenue, \$456,000; expenditure, \$663,960, showing an estimated deficiency of \$207,960. In this estimate the only items which would appear to be capable of any important reductions are—for education, \$165,000; roads and bridges, \$240,000; and local works, \$50,000.

I have no accurate means of estimating whether the cost of civil government, &c., in Nova Scotia, be reasonable; but judging from the estimates in the other Provinces, it may not be considered as excessive. Thus, in New Brunswick the estimate per head is  $28\frac{1}{2}$  cents, in Quebec  $37\frac{1}{2}$  cents, and in Ontario  $17\frac{3}{4}$  cents, while in Nova Scotia it is  $26\frac{3}{4}$  cents.

The large additional burdens which, beyond doubt, Nova Scotia must have imposed on her people had the Union not taken place, are now supposed by them to be due to the Union; and the political discontent is aggravated because, simultaneously with these new burdens, there is a diminution in the class of local expenditure, which, previous to the Union, was borne by the public exchequer in Nova Scotia, but which is provided for by local taxation in Ontario and Quebec, and which, if incurred by Nova Scotia, must be met hereafter in the same way. The only alternative open to her in the future would seem to be either, first, wholly to dispense with or greatly reduce these services; or, secondly, to meet them, as is done in Canada, by direct taxation.

In order to compare the extent to which public grants for local purposes are supplemented by municipal taxation in the several Provinces, I have caused a table

be prepared (Appendix IV), distinguishing, as far as possible, the various services which are sustained by this united contribution. This statement must, however, be regarded only as an approximate one, since it is based, not on actual results, but on the estimated expenditure of the several Provinces, and the statistics showing the municipal taxation are, besides, incomplete in some of these Provinces. It serves nevertheless, to show that the local contribution by Nova Scotia for education does not contrast unfavorably with that of the other Provinces.

The municipal or local supplement to the parliamentary grants for education would appear to be as follows, in the several Provinces, per head of the population : Ontario, \$1.13; Quebec, \$0.77½; New Brunswick, \$0.41; Nova Scotia, \$0.70; or if the estimates furnished on behalf of Nova Scotia for 1867 be correct, \$1.07.

In respect of public works, however, a comparative immunity from local taxation would appear to be enjoyed by Nova Scotia, the same table showing that Ontario contributes for that service, by local taxation, \$2.17; Quebec, \$0.74½; New Brunswick, \$0.44; and Nova Scotia but \$0.02 per head of the population.

It is unfortunate that the necessity for the introduction of a new system, as regards their public works, in Nova Scotia, should be contemporaneous with Confederation.

### 9.—Conclusion.

From the statements thus adverted to, it would seem to follow :—

1st. That the principle on which the debts were arranged by the Union Act operates with some unfairness to Nova Scotia;

2nd. That in the division of the property, local assets and revenues, or because the assets possessed by her were not of a character to be available, Nova Scotia is less favorably situated than the other Provinces in respect of local revenues;

3rd. That the increase of Customs presses more directly on Nova Scotia than the other Provinces, but this apparent increase and the consequent pressure, it is believed, will be mitigated every year, as goods which she formerly imported from abroad, and which were chargeable with duty, are produced in other portions of the Dominion, and will now be available to her for consumption free of duty.

4th. That she must have raised about \$400,000 annually by way of additional taxation if she were out of the Union.

5th. That the amount raised by the Dominion from revenue from Customs and otherwise is about adequate, if the results of last year continue in future the same, to meet all the current expenditure the Dominion is called on to make on her account, but less by \$100,563 if Nova Scotia is to be charged a *per capita* contribution to the cost of the Civil Government and legislation of the Dominion.

6th. That the local sources of revenue at present possessed by Nova Scotia are inadequate to carry on the services devolving on the Province.

It would be beyond my province to make any suggestions to Your Lordship upon the state of facts which I find, in my humble judgment, to exist, and which I have endeavored to state as succinctly and accurately as it is in my power to do.

I have the honor to remain, Your Lordship's most obedient servant,

JOHN ROSE.

His Excellency VISCOUNT MONCK, the Governor General, &c., &c., &c.

### REPORT OF AUDITOR-GENERAL.

*Memorandum on the Letter of Mr. McLelan, of 17th September, stating the Financial Disadvantages under which Nova Scotia labors from Confederation.*

I have carefully considered Mr. McLelan's letter, and have verified his figures, and I submit an examination of each of the points which he has raised.

I. He argues that the consumption of dutiable goods is much higher in Nova Scotia per head of the population than in Canada, and he states the relative proportions of the total imports, in 1867, to have been \$39.50 per head in Nova Scotia and



\$20 in Canada. I append a table of the proportions from the best data I can obtain for four years, adding a column for New Brunswick.

Total imports per head :—

	Canada.	Nova Scotia.	New Brunswick.
1864.....	\$17 07	\$34 25	\$35 49
1865.....	15 89	39 55	28 05
1866.....	19 38	39 37	39 68
1867.....	20 99	34 54	30 03

Value of dutiable goods per head :—

	Canada.	Nova Scotia.	New Brunswick.
1864.....	\$11 41	\$21 42	Not distinguishable in returns from New Brunswick.
1865.....	10 09	21 42	
1866.....	13 27	28 05	
1867.....	14 25	22 33	

Duty paid per head :—

	Canada.	Nova Scotia.	New Brunswick.
1864.....	\$ 2 44	\$ 2 92	\$ 3 67
1865.....	2 26	3 14	2 83
1866.....	2 92	3 76	4 11
1867.....	2 80	3 32	4 17

Mr. McLelan's facts are therefore borne out by taking a more extended period, and the reason which he gives for the disproportion, viz., the different habits of an agricultural population from those of one engaged in fishing, mining and shipbuilding, is, no doubt, to some extent correct. But the notoriously small consumption of dutiable articles in Lower Canada must materially reduce the general average of the whole of the late Province, and it is almost certain that the consumption of Ontario, if taken alone, although it is mainly agricultural, would equal that of the Maritime Provinces, if an accurate division could be made. Of the entire Customs revenue of 1866-67, \$2,253,334.66 was collected in Upper Canada, and only \$559,279.57 in Lower Canada, exclusive of Montreal; the balance, \$4,211,305.63, was received in Montreal itself, which supplies both Upper and Lower Canada. It may be some guide towards determining the taxable capacity of Ontario as compared with Quebec to state that the municipal taxes raised in the former in 1866 amounted to \$2,428,140, and in the latter to \$768,500, according to our somewhat imperfect returns, or say \$800,000. In this respect, therefore, Nova Scotia only shares with Ontario and New Brunswick the disproportion in which it may have to contribute to the general expenditure.

In another view of the case, however, this disproportion has a further injurious effect upon Nova Scotia, because the average rates of duty paid by it heretofore have been considerably less than those in Canada. The following table will show the percentage of duties in the several years, and I have taken this percentage upon the total imports, as well as upon dutiable articles alone, in order to include New Brunswick, in which the returns do not enable me to distinguish the dutiable from the free goods :—

	CANADA.		NOVA SCOTIA.		NEW BRUNSWICK.
	Total Imports.	Dutiable.	Total Imports.	Dutiable.	Total Imports.
1864.....	\$14 32	\$21 43	\$8 54	\$13 64	\$10 33
1865.....	14 21	22 38	7 95	14 68	10 09
1866.....	15 08	22 03	9 42	13 22	10 37
1867.....	13 34	19 64	9 63	14 88	13 75

Or as the financial periods of the two Provinces did not correspond, we obtain a fair average by taking the total value of dutiable goods imported into Nova Scotia in the forty-five months preceding Confederation, viz., \$28,996,018, and the total duties paid, \$4,058,865, which gives an average percentage of 14.61, against the total \$108,649,061 imported into Canada in the forty-two months preceding Confederation, yielding a duty of \$23,005,796, or 21.25 per cent. It must, however, be observed that the Canadian duties had been materially reduced upon many articles during the last year of the above period, and the proportions given for 1867 may, perhaps, more nearly represent those which existed when Confederation took effect.

It is evident that if Nova Scotia is now called upon to pay the higher rate of duty prevalent in Canada upon its own higher rate of consumption, it will be a greater sufferer than is indicated by the different proportion in which it paid duty per head of the population as above given. But it would not be safe to base any calculation upon this assumption, for the rate at which it will be called upon to contribute under Confederation will be materially affected by three considerations; 1.) Many articles formerly dutiable in Nova Scotia, as flour and meal, &c., are now free. (2.) Goods, the manufacture of Canada, formerly dutiable, are now free. (3.) Articles which, in Canada, paid their contribution to the State under the Excise laws, were represented in Nova Scotia by corresponding articles which paid Customs duties. It is difficult to estimate in figures the amount of effect which will be produced by these three considerations, but it cannot but make a material difference. The trade between Canada and the Maritime Provinces increased, even before Confederation, from \$1,571,116, in 1865-66, to \$3,418,589 in 1866-67; and the reduction in the total imports into Nova Scotia, from \$8,565,647 in the nine months preceding Confederation, to \$5,781,699, in the nine months succeeding it, points in the same direction.

II. Mr. McLelan's second argument is that there is no corresponding advantage received to compensate for the increased taxation of Nova Scotia, and that there is no validity in the counter-argument, that in consequence of the additional obligations incurred prior to Confederation they would, in any case, have had to bear this increased charge. His position is, that the only additional charge which would have fallen upon them if Confederation had not taken effect would have been the difference between the interest they paid the year before Confederation and the interest on \$8,000,000, which he states to be \$121,213. He does not give the figures from which he arrives at this sum, and I am unable exactly to verify it, on account of the difference in the financial years; but it would appear to be at least approximately correct. If he counts 6 per cent. on the \$8,000,000, the balance, as given by him, would be equivalent to making the interest paid in the year \$358,787. Now, the interest paid in the nine months ending 30th June, 1867, was \$286,730, and adding  $\frac{1}{4}$  of the interest paid in the preceding twelve months, or \$77,284, we get for the year \$364,014. Granting this, however, the \$5,000 which he allows for charges is manifestly insufficient. From the rate at which Nova Scotian debentures have been sold in London, and from the difficulty experienced in disposing of the last issue, when we add commission and other charges, we cannot assume that they would have raised the money, including charges, for less than 7 per cent. Correcting his figures, therefore, to this extent, the excess would be \$141,415. Moreover, he tacitly assumes that no account is to be taken of the \$1,300,000 by which the Nova Scotian debt is estimated to exceed \$8,000,000, because they have to pay the Dominion interest upon it. But they only pay the Dominion 5 per cent., whereas they would have had to borrow at 7 per cent., making a further difference of \$26,000. With these corrections, however, the argument may be admitted, and the financial gain to Nova Scotia from our assuming their obligations may be set down at \$167,415, together with the subsidy of \$333,581 per annum, to set against their increased taxation.

On the other hand it is argued that Nova Scotia will obtain the Intercolonial Railway by Confederation. Mr. McLelan, however, states that they had already had an offer to make the road from Truro to the Province line for an annual subsidy of \$120,000, for 20 years, which he estimates as equal to \$80,000 of permanent addition to their annual charge. This has evidently been done approximately at 6 per cent., which would give \$82,583, but it should not be estimated at less than 7 per cent., which would give \$88,989. Now, if we assume that the proceeds of the loan of £4,000,000, which costs the Dominion £170,000 in interest, or \$850,000 Nova Scotian currency, will complete the road, Nova Scotia's share of this by population would be \$91,206, or rather more than they could themselves have built the road for as far as the Province line. But Mr. McLelan omits to consider that it is not the line to the provincial border which is in question, but the connection with other lines; and they certainly would not have had the Intercolonial Railway unless Con-



federation had gone into effect. It is an advantage which cannot be estimated in figures, but no Nova Scotian can be blind to the fact, that it must be an immense gain to the Province, and to Halifax in particular, to become the Atlantic terminus of a great system of railways running far into the interior of the country.

III. Mr. McLelan objects to the principle upon which the debt with which each Province may come into the Union is to be regulated. The basis adopted was apparently the population by the last census, rectified to the date when the agreement was made, according to the relative average increase of each in the interval between that and the preceding census; and he argues that the development of the mining industry of Nova Scotia has largely increased its population beyond the average of previous years. He may be right in this respect, and it might have been fairer to take the last ascertained population without any hypothetical rectification, especially as the subsidies are based upon the actual and not upon the estimated population. The difference, however, is not very important. If the \$62,500,000 for Canada were taken as the basis, Nova Scotia would have had \$8,246,169 instead of \$8,000,000, and New Brunswick \$6,281,932, instead of \$7,000,000; or if Nova Scotia had been fixed at \$8,000,000, Canada would have had \$60,634,240 and New Brunswick \$6,024,400.

I think, however, that Mr. McLelan is justified in saying that population alone is not a sufficient basis. As it is a question of debt to be assumed, the share which each contributes towards paying for that debt, if not made the whole basis, should at least have been taken into consideration. If we take the consumption of imported dutiable articles as the sole test, the difference would be very great; but it would be open to the same objections which I have already discussed when speaking of the increase of taxation.

The actual revenues derived from Customs and Excise together, which are taken by Mr. McLelan, would be a fairer test, and would give, on the average of the last 3½ years:—

Canada.....	\$60,219,000 to Nova Scotia .....	\$8,000,000
Or Nova Scotia.....	8,303,000 to Canada.....	62,500,000

This is a very similar proportion to that resulting from the population, as it actually stood at the census; but there may perhaps be some further allowance for the lower rates of duty in Nova Scotia.

If we do not confine ourselves to the revenues from Customs and Excise, but take the whole income into account, it is evident that we must omit the proceeds of lands, mines, &c., and other revenues, which now belong to the Local Governments, and also such revenues as stamps, bank imposts, lighthouse dues, which, before Confederation, were collected in one Province and not in the other. The main revenues which were common to both were Customs, Excise, public works and post office, and the cost of collection of the two last bore such a large proportion to the receipts, that in their case, at any rate, the net revenue should be taken. Taking, then, the net revenue from all the four services, the result would be:—

Canada.....	\$61,501,000 to Nova Scotia.....	\$ 8,000,000
Or Nova Scotia....	8,130,000 to Canada.....	62,500,000

One or other of the above methods would appear fair, but in either case some allowance should be made, on the one hand for the higher rate of duty which Nova Scotia will now have to pay, and on the other for the goods which, either under the new tariff, or as being the manufacture of Canada and New Brunswick, will now be free, but formerly paid duty.

It must also be observed that in speaking of the debt of Nova Scotia and its excess over the stipulated \$8,000,000, I have taken it, as Mr. McLelan also has done, as in Nova Scotia currency, but it is evident that to put Nova Scotia on a par with the rest of Canada it should be converted into Canada currency. Upon this assumption the \$8,000,000 would be \$8,219,178 in Nova Scotia currency, and the estimated excess of debt not \$1,288,121 but \$1,068,943. Upon the same principle the

debt of Nova Scotia, if based upon the revenues derived from Customs and Excise, which is, perhaps, the fairest test, would be \$8,531,500, as compared with \$32,500,000 for Ontario and Quebec.

IV. Mr. McLelan objects to our method of arriving at the total debt of the late Province of Canada. He says that the returns of 1867 showed the total liabilities to be \$88,444,890, which we have reduced to \$71,200,000, thus taking off \$17,244,890 of our best assets. Mr. McLelan has fallen into an error in this respect. The total, \$88,444,890, as given in the statement of affairs, includes \$7,222,730 under the head of Consolidated Fund, which is no liability, but merely the balance by which the nominal assets exceed the liabilities. Then, in the statement of affairs there are several accounts which, for convenience of book-keeping, appear on both sides of the ledger, and in revising the statement these are deducted from the corresponding account on the other side. Thus we do not really owe \$700,000 to the sinking funds of the municipal loan funds; it is merely a portion of the \$9,723,000 which they owed us on the capital of the advances made to them, which they have paid off. Thus also, the large item, \$3,304,249, under the head, municipal loan fund U.C. indemnity account, is not a debt which we have to pay. It is the indemnity given to Upper Canada under the Seigniorial Act of 1859, for payments made to seigneurs in Lower Canada, but to which it was thought that Upper Canada had already had more than an equivalent, in the large excess of the advances made to its municipalities. No payment was to be made on account of this indemnity, except in the almost impossible contingency of the municipalities paying off their debt; and as the municipal loan funds are now transferred to Ontario and Quebec, this indemnity must go with them, as a matter of book-keeping for Ontario, and not for the Dominion. There are also some other liabilities which appear in the statement of affairs, to the extent of about \$800,000, which are only contingent liabilities, and which it is proposed to transfer to Ontario and Quebec, as of local interest, upon the understanding that, if ever the Dominion is called upon to pay anything on its guarantee, it will deduct the amount from the next payment of subsidy to the defaulting Province. As revised upon this principle, the debt of the late Province may be thus analyzed:—

Debenture debt.....	\$62,885,197 63
Trust funds, of which the capital or the interest, as the case may be, is payable to parties or institutions in Ontario and Quebec.....	7,997,244 84
Miscellaneous liabilities, mainly consisting of the Indian fund.....	1,822,997 62
Financial agents and other banking accounts.....	3,096,415 22
Total.....	\$75,801,855 31
Less sinking funds.....	\$1,888,555 58
Securities on which interest is regularly paid.....	395,681 25
Cash and banking accounts.....	1,461,251 96
	3,745,488 79
Net debt.....	\$72,056,366 52

In connection with the same subject, and in illustration of points which will arise hereafter, it may be well to discuss the several items which appear on the other side of the revised statement of affairs of the late Province of Canada.

The following analysis of the assets may be set down as an approximate history of our debt:—



Public works yielding revenue.....	\$17,992,751 51
Do yielding no revenue, but which were considered to be of such general advantage as to entitle us to charge them against capital....	9,736,048 02
Capital advanced to railways (of which \$2,810,500 may be considered recoverable).....	20,196,971 35
Interest on the above (of which \$1,129,861 may be considered recoverable).....	13,021,079 27
Miscellaneous railway advances (of which \$395,000 may be considered good).....	525,018 54
Miscellaneous assets (good, perhaps, for half the amount) .....	1,291,343 34
Advances made to sundry municipalities and funds, now transferred to Ontario and Quebec.....	11,170,734 22
These appear in statement of affairs.....	73,940,956 25
Add seigniorial tenure legislation....	\$6,730,813 31
Less, already included.....	196,719 66
	<u>6,534,093 65</u>
Origin of debt.....	\$80,475,049 90
Net debt.....	<u>72,056,366 52</u>
Balance met out of current revenue.....	<u>\$ 8,418,683 38</u>

Or it may be otherwise stated, and if we do not include the railway interest as a legitimate source of debt, we may say that the failure of railways to pay their interest since 1855 has caused us to involve ourselves in debt, beyond what was met by current income, to the extent of about \$4,000,000.

It may be laid down as a general principle that when two independent parties enter into a partnership, in deciding the position of each in the new arrangement these points must be taken into account.

(1.) The liabilities speak for themselves and cannot be altered.

(2.) Such assets as are not a security for money, but which are to remain the joint property of the whole, should be valued in some way. The amount they originally cost to the first owner, and the return in money which they may be expected to yield, are neither of them a sufficient test, though they may be taken into account in the valuation. The benefit which the whole country will derive from them is the true test, and may be different from what is indicated by either their original cost or their money returns.

(3.) Assets which are a security for a definite sum of money must be valued, either at the whole amount, if good, or at what they may be expected to realize, and they must either be deducted from the liability of each, or must be retained by the original proprietor, and not brought into the common stock at all. Or if they are retained as joint property, and an estimate cannot be made of what they will realize, the party originally owning them must get credit subsequently to the apportionment of his share, as the proceeds come in.

I do not think there can be any doubt as to the equitableness of the principles above laid down. If we apply them to the assets of the late Province of Canada, as above analyzed, the public works yielding revenue come under the second head. The public works yielding no revenue also come under it, but, as in the other Provinces, no accounts have been kept open for such works, although they, no doubt, have an equivalent in roads, buildings, harbors, &c, they may be left out of account altogether. The railway indebtedness is, strictly speaking, a security for money, and should therefore be deducted from the debt under the third head, the probable amount which may be immediately realizable, being between \$4,000,000 and

4,500,000; but as railways themselves come under the second head, and the system upon which railways were obtained in Nova Scotia and New Brunswick differed altogether from that adopted in Canada, they may be left under the second head. The miscellaneous assets, amounting to \$1,291,343, and the present value of which is fully half that amount, are all securities for money, and should, strictly speaking, have been treated as coming under the third head; but they have not been so treated, and to that extent, if the items remain as stated above, Ontario and Quebec will have suffered a loss. The last item is that of the assets transferred to Ontario and Quebec, upon which subject so much misconception has arisen that I will treat of it under a separate head.

V. These are securities for money advanced, and if they had been retained by the Dominion they ought, upon the principles laid down, to have been deducted from the debt at a valuation, or if not deducted, they should have been left in the hands of the original owner, and not have entered into the common stock at all. The latter was the method adopted, and I think it is perfectly just. If any sum had been paid in on the 30th June, 1867, on account of these advances, by increasing the cash it would have diminished the net debt, and the overplus for which Ontario and Quebec are responsible. Can any reason be assigned why, if the sum had been paid on 31st July, the Dominion should have had the advantage, and Ontario and Quebec have gained nothing, except in so far as they form part of the Dominion? It was these very advances which brought the debt up to its present amount, and caused Ontario and Quebec to have to pay interest upon the \$10,000,000, by which we may say, in round numbers, that the debt exceeds the stipulated \$62,500,000; and if any part, or the whole of that excess of debt were repaid, will anyone say that Ontario and Quebec are to continue to pay the interest upon it forever, simply because it was not liquidated before a certain day? The normal debt of \$62,500,000 assigned to Canada, may be an unfair apportionment, and there may be assets in New Brunswick and Nova Scotia of a similar character to those retained by Ontario and Quebec, although not named in a schedule to the Act, as was done in the latter case, and if such be the case, the injustice should be remedied; but there is no injustice in the transference of these assets to the Provinces interested in them, and which are paying the Dominion interest upon the sum which they cost to the late Province.

With a view, principally, of seeing whether there is anything in the Maritime Provinces equivalent to these assets, I append an analysis of them. They consist of—

The municipal loan funds capital.....	\$9,728,140 00	
Less sinking funds.....	700,887 96	
		\$9,027,252 04
Arrears of interest on municipal loan funds.....	\$4,299,753 66	
Less covered by the seigniorial indemnity to Upper Canada.....	3,304,249 55	
		995,504 11
Advances to certain funds on the credit of law fees, which for the last 3 years yielded an average revenue of \$80,350.26.....		393,052 68
Advances on the credit of the proceeds of certain lands, which have yielded an average revenue, for the last 3 years, of \$20,007.12.....		484,244 33
Miscellaneous advances, mainly the Quebec fire loan, much of which has been wiped out by subsequent legislation—the whole yielding an average receipt of \$5,638.70.....		270,681 06
Total.....		<u>\$11,170,734 22</u>

The capital advanced to the several municipalities out of the municipal loan funds was applied as follows:—



Railway stock .....	\$3,593,440 00	
Loans to railways.....	3,229,400 00	
		6,822,840 00
Road and other local works.....		2,905,300 00
		<u>\$9,728,140 00</u>

If we come to enquire into the nature of the expenditure under each of the other heads, the third item of \$393,052.68 is the balance remaining due of sums advanced on the credit of law fees for the erection of gaols and court houses; and with the exception of \$196,719.66 on account of seigniorial tenure, the amount advanced to the municipalities fund on the credit of its lands was also for the same purpose. The income in both cases is under the control of Ontario and Quebec, and subject to their legislation. The whole amount of these assets may therefore be thus divided:

For railways, to be considered hereafter .....	\$6,822,840 00
For local improvements, such as Nova Scotia made out of provincial funds, and not included amongst assets, as claimed by Mr. McLelan.....	3,762,597 01
Miscellaneous, including the accumulation of interest on arrears.....	585,297 21
	<u>\$11,170,734 22</u>

Or, if we take the last two items together, railways,	\$ 6,822,840 00
Local improvements.....	4,347,894 22
	<u>\$11,170,734 22</u>

There has been a further misconception as to these assets transferred to Ontario and Quebec. They are supposed to be valuable, and to yield a large income. Now, the income to be derived from all these sources, on the average of the three years before Confederation, was only \$359,244.30, of which about \$150,000 was in liquidation of capital, leaving an annual income of barely more than \$200,000. There is no doubt that, by pressing, a little more may be realized from the lands, and something more considerable, perhaps, from the municipal loan funds, but the amount which can be legally claimed from the latter is limited by the legislation of 1859, which, without releasing the individual municipalities from their liability, precludes the Government from enforcing a payment greater than 5 cents in the dollar on their assessment. Now, at present, of the entire capital of the loan, the amount which comes under the 5 cent clause is:

In Upper Canada .....	\$5,847,400
In Lower Canada.....	768,500
	<u>\$6,615,900</u>
Not barred by it—In Upper Canada .....	\$1,452,600
Lower Canada.....	1,659,640
	<u>3,112,240</u>
	<u>\$9,728,140</u>

The amount of 5 cents in the dollar upon the assessment of the municipalities which come under the operation of that clause would be at present about.....	\$163,734
And the full interest of 5 per cent. on the rest.....	155,612

Making a total of..... \$319,346

which is the utmost limit to which the municipal loan funds can be rendered available, exclusive of any payments on account of capital.

Now, although it is quite just in principle that these assets, be they of what value they may, should be handed over to Ontario and Quebec, if they are not counted as a deduction from the gross debt, yet we are bound to enquire whether there may not be analogous assets in Nova Scotia, which should be similarly dealt with.

In Nova Scotia, as Mr. McLellan states, it has always been the custom to pay for all local improvements out of the general funds of the Province; whereas, in Canada, with the exception of an annual grant for colonization roads, and the main road connecting us with the Maritime Provinces, it has for many years been the custom to leave all such matters in the hands of the municipalities; or if the Government has originally advanced the money, it has been as a loan to the municipalities, which they are liable to repay. When, therefore, we unite ourselves with a Province which had dealt in such a different manner with those local works, it would have been very unfair to require the municipalities to refund the advances in one section and to leave them free in another. Even if these advances had not come under the definition of securities for money, which are either to be deducted from the debt or left with the original owner, it would only have been equitable to cancel the debt, or to hand it over to the Local Government, to deal with as they may think fit. There is nothing analogous in Nova Scotia to this \$4,347,000 for local improvements. They had all their roads and piers and court houses built out of the general funds, and they own them, unburdened by any debt, and Ontario and Quebec are only placed in the same position.

Railways, however, are considered of such general importance that they are to be retained in the hands of the Dominion, and if individual municipalities were formerly held liable for the sums which had been advanced for them by the General Government towards some of these undertakings, it is only fair that they should be released from that liability. But in this case there is something analogous in Nova Scotia. The several municipalities did contribute something towards the railways, under the head of land damages. That is, they were expected to give the right of way, and if the Government advanced money to pay individuals, it held the counties liable to refund it. So, also, the city of Halifax entered into an engagement to pay £100,000 towards the cost of the railway, though I believe it never fulfilled its promise. These transactions are exactly analogous to the liabilities which the Canadian municipalities incurred for railways, and if the financial statements in Nova Scotia had been made out in the same form as ours, these liabilities of the municipalities would have appeared in the statement of affairs as assets of the Province, and would doubtless have been enumerated in a schedule to the Act, as was done with the Canadian items. But they appeared nowhere, and what has been the consequence? Not that the Dominion has fallen heir to them, but that the Province has tacitly, and quite rightly, assumed that they were to retain them. The city of Halifax engaged itself to the Province of Nova Scotia to pay £100,000 towards the railway. The Province retains this claim, be it worth what it may, and may enforce or abandon it as it thinks proper. The Dominion does not interfere in any way in the matter; neither ought it to do so in the case of the city of Ottawa, which engaged itself to pay the Province of Canada \$200,000, which it borrowed to aid the Prescott and Ottawa Railroad. These cases are strictly analogous, and if this municipal indebtedness on account of railways is abandoned to Ontario and Quebec, so also has the similar claim upon their municipalities been abandoned to Nova Scotia.

A doubt may arise, whether what the Nova Scotian counties have already paid towards the railways for land damages should not be refunded to Nova Scotia. It is no large amount, and it must be remembered that the Canadian municipalities have also repaid to the Government about \$700,000 of the advances made to them, more than half of which was for railways.

There is, however, still another point to be considered in connection with this subject, in which it appears to me that Nova Scotia is at a disadvantage. The railways to which the Canadian municipalities have contributed have almost, without exception, been unremunerative, and the Nova Scotian railways cannot show much in the shape of a profit. But supposing that hereafter matters should improve, and



that some of the railways should yield a handsome return; in Nova Scotia the Dominion would reap the profit, whereas in Canada, in so far as the \$6,800,000 contributed by the municipalities is concerned, the individual municipalities, or Ontario and Quebec, which holds them liable, would be the only gainers. It may be said that there is not much probability of the municipalities ever realizing anything from their railway speculations, which is true enough, but some of them have done so, and to that extent at least the argument is a valid one on the part of Nova Scotia. I cannot, however, see any other just cause of complaint under this head.

VI. Mr. McLelan argues that if you exclude the assets which are to be deducted in ascertaining the net debt, and those transferred to Ontario and Quebec, and if you further leave out of account those representing general improvements, as buildings, lighthouses, &c., which yield no revenue, the remainder are of much less comparative value than the railroads of Nova Scotia. This is an important point, which must be fairly discussed.

I see no objection to our leaving out of account those works which yield no revenue, but which have always, in Canada, been considered of sufficient general importance to justify us in treating them as capital expenditure, and have therefore been kept as open accounts in the ledger. It is useless now to enquire whether we are justified in this assumption, and whether some expenditure has not crept into these accounts which should more legitimately have been borne out of annual income. For the purposes of the present enquiry they may be left out of account altogether, as the corresponding expenditure in Nova Scotia (which I dare say, including their numerous harbors and lighthouses, has been comparatively as heavy as ours), has not left its trace behind in their statement of affairs. I would go a step further and recommend that these accounts be no longer retained in the Dominion ledger.

Upon a similar principle I think that the sums we have annually charged against the railway companies for unpaid interest may be similarly written off, except in so far as they represent interest which we can recover. There would then remain to set off against of net debt of \$72,056,366, the following assets:—

Public works yielding revenue.....	\$17,992,751
Capital advanced to railway companies, including the advances from the municipal loan fund.....	27,019,811
Other debts of railways, mostly good.....	1,651,879
Miscellaneous assets, worth at least 50 per cent.....	1,291,343
	<hr/>
	\$47,958,784

It is by no means easy to place a value upon such assets, for their main value is not their money return into the treasury, but the general advantage to trade, which results from them, and the difficulty is increased from the different policy which has been pursued by Nova Scotia from that adopted in Canada. They built their railways with borrowed capital, and own them themselves; whilst we, as far as government was concerned, only lent money to independent companies, with a claim to be repaid, and in some instances the municipalities took stock. The comparison will stand thus:

Nova Scotia expended on railways.....	\$ 6,292,029
Canada, loans by Government.....	\$ 20,196,971
do municipalities.....	3,299,400
Stock taken by do .....	3,593,400
	<hr/>
	\$27,019,771

This was the capital contributed towards our railway system by the Province at large, for the Province lent the money to the municipalities to enable them to aid the railway companies. Some municipalities, however, as the city of Hamilton, raised the money, which they advanced on their own credit, and those amounts are not included in the above sum. For this sum we have 1,968 miles in operation, or one mile to every 1,274 of our population, at a cost to the Province of \$13,729.00 per

ile, and \$10.77 per head. In Nova Scotia, excluding the Windsor and Annapolis road, commenced after Confederation, but including the Pictou line, although not all laid for at that date, they have 145 miles, or one mile to every 2,279 of the population, and at a cost of \$43,393 per mile and \$19.02 per head. As far, then, as the general convenience of the public is concerned, Canada compares, in that respect, favorably with Nova Scotia. We have a larger railway system in proportion to our population, and we have obtained it at a less cost.

Along with the railways, it would be fair to class our canals and other public works yielding revenue, making the total of such works:—

Ontario and Quebec, railways as above.....	\$28,674,650
do canals, &c.....	17,992,751

Total Ontario and Quebec.....	\$46,667,401
	6,292,029

Nova Scotia railways.....	\$16,667,401
	6,292,029

r the Nova Scotian works entail a charge upon the Dominion equal to a capital of 19.02 per head of its population, and those of Canada of \$18 61.

I do not wish to be understood as laying too much stress upon the very much larger accommodation to the public in Canada per head of the population, by our 1,968 miles of railway, and our system of canals, as compared with the 145 of railways in Nova Scotia. It is the natural result of our different geographical positions. We, with only one outlet to the sea, and with a country extending far into the interior, are absolutely dependent upon our railways and canals; whilst they, with an extensive seaboard and numerous harbors, have access to the ocean with, perhaps, not more than 25 miles from every man's door, and have the means to communicate with each other and with foreign countries, provided by nature. But if we give them credit for this great highroad, which costs them nothing, neither can they take credit for their railway system in proportion to its cost. If they have been more fortunate in one respect, in having most of their communication without any cost, so have we been more fortunate in obtaining our artificial communication at a very much smaller expense to ourselves than they have. The practical value of our communications, whether natural or artificial, is the really important test of whether we enter into partnership upon equal terms in that respect; the cost at which we have made, or improved them, is altogether a secondary question. If our people have contributed to the general convenience in their lake and river navigation, their canals and railroads, their harbors and lighthouses, as many facilities as the Nova Scotian railroads, with their ocean navigation and its harbors and lighthouses, we have done all that can be required of us, and it is useless to enquire how much more or less one particular class of these facilities may, from local circumstances, have cost in the one than in the other. Such a valuation as I speak of cannot be reduced to figures, but I believe the Nova Scotians will admit that we have taken fully as great an advantage of our facilities as they have done, though in a very different way. The total debt with which we may enter into Confederation must be decided upon very different principles, and the fairest, perhaps, may be the rate at which we contribute towards bearing its charges.

There is one point, however, connected with public works, which does affect the financial settlement, and that because it relates to our several contributions towards meeting the joint debt, viz., whether those works yield any revenue. Now the public works of Canada have, during three years before Confederation, yielded a net revenue of \$487,773, equivalent to \$139,335 per annum, which is 0.77, or a little more than  $\frac{3}{4}$  per cent. on their total cost; and the interest on the capital of the loan to the Great Western, which will hereafter be regularly enforced, is \$161,500, which, with \$14,600 interest on their bonds, regularly paid by the Northern road, and the average dividend of 3.45 per cent. on the Grand Trunk postal subsidy bonds, which we hold, makes the total annual revenue from railways, \$183,354. To this must be added the arrears of interest due by the Great Western, which Government is now enforcing, and which will be equal to an annual interest of at least \$60,000. All these together make up a revenue of 1.17 per cent. on the total railway debt to the Dominion. If we further



include the capital advanced to railways by the municipalities, as I have above stated it, but upon which the interest, if any, will not accrue to the Dominion, our income from public works of both classes may be set down at \$382,689, which, on a capital of \$46,667,401, is equal to 0.82 per cent.

In Nova Scotia it is not very easy to arrive at a certain result as to the revenue from their railways. The cash receipts, as stated in the Receiver-General's accounts, for the  $3\frac{1}{2}$  years before Confederation, are \$711,704.52, from which, however, should be deducted \$60,000 for railway stock transferred to the Pictou line, and charged in the capital account of that line, then under construction. The Railway Commissioners' return for the same period gives the revenue as \$651,174.77, which corresponds so nearly with the former sum, after the deduction is made, that it may be taken as correct. The total expenditure by the Receiver General's accounts, is called \$646,894, whilst in the Commissioners' returns it is made to be \$555,207.90, a difference of more than \$91,000, for which I am unable to account. Assuming, however, the Commissioners' figures, which we may be certain have not dealt unfairly with the revenue account, the net receipts would be \$95,966.87, or \$24,561 per annum. This, upon the total capital expended to 30th June, 1867, and which does not include the whole cost of the Pictou line, although it had been running for nine months, would be 0.39 per cent., not half of the revenue derivable from the Canadian public works and railways together. The percentage on the capital is, however, as I before argued, not the important point, but the actual amount available for meeting the debt, and in this view the Nova Scotian works only yield  $7\frac{1}{2}$  cents per head of the population, whilst the Canadian ones will yield, when the collection of the Great Western interest is enforced,  $15\frac{1}{2}$  cents per head. It will, no doubt, be argued that the trade by the Nova Scotia railways has not yet been fully developed, and that the net receipts from them will increase. This is no doubt true, but if they were doubled we should still only be on a par with them, and our public works may, and no doubt will, become more remunerative. We may also look to some further returns from our advances to railroads. If we may consider the arrears of interest due to us from the Grand Trunk and Northern, practically abandoned, and so cease to enter it up annually against them in the ledger, yet upon any material improvement in railway prospects our claims for current interest would revive.

Under this head, then, I think that we are fully upon a par with Nova Scotia. We have made improvements fully equal to theirs, and as yet, at any rate, they yield a greater revenue per head.

VII. Mr. McLelan argues that the Windsor and Annapolis Railway should have been undertaken by the Dominion, and not have been charged against Nova Scotia, because it forms an important feeder to the railroads which are in our hands. There is considerable force in this argument. The road being in the hands of a private company, to which a subsidy is given, Nova Scotia pays 5 per cent. upon the amount which the Dominion advances for that purpose, for which it only gets the convenience of the locality through which it runs, the company receiving what profit there may be in running the road, and the Dominion deriving any incidental advantage from the traffic which may be brought to its own roads. A very large amount of money, however, has been expended by Canada in strictly analogous roads, which act as feeders to the Grand Trunk, and yield little or no profit themselves, though of immense importance to the localities interested in them. But whatever may be thought of the policy of undertaking the road on these terms, it was the deliberate act of the Government of Nova Scotia for the time being. The contract was entered into before Confederation for the express object of bringing up its debt to the eight millions apportioned to it by the Union Act. They had the chance of entering the Union with a smaller debt, and receiving 5 per cent. on anything, by which it fell short of eight millions, or with a larger one, paying similarly on the surplus, and they elected the latter alternative. It is not easy to see how the Dominion can be fairly called upon to go back upon this decision, and to pay for a work mainly of local interest, although the gen-

ral railway system may incidentally derive some advantage from it—a work upon the policy of undertaking which it was never consulted.

Mr. McLelan objects to the engagements entered into before Confederation for the construction of this road being considered as a liability of the late Province, and so included in their debt, whilst in Canada a large amount of old appropriations were written off, and amongst them a million for defence. The two cases, however, are not at all analogous. In Nova Scotia not only did Parliament vote the necessary sum, but upon the strength of that vote a contract was entered into and the work was commenced. In Canada Parliament had made the appropriation in case the expenditure were required, but no work had been commenced, or ordered, under it. In writing off these balances of old appropriations, Parliament was only carrying out the policy which it has laid out for itself in the future, and which is followed in England, of taking the vote of the year for the expenditure which it is intended to make during the year, and all balances of appropriation remaining unexpended will lapse on the 30th of June, and a fresh authority must be taken. If it should happen hereafter that any expenditure is required for defence, the Parliament of the Dominion will, doubtless, make the necessary provision for it, with due regard to the necessities of all parts of the Dominion. This is a very different thing from a provision for a local work, which was already under contract and in progress when Confederation took effect, and upon the policy of which the Dominion at large had no opportunity of expressing an opinion.

VIII. Mr. McLelan claims that an allowance should be made to Nova Scotia for the Truro line as part of the Intercolonial Railway. But upon exactly the same principle Ontario and Quebec should have an allowance for what they advanced toward the Grand Trunk Railway of Canada. Each had a part of the road in its own territory already built from funds which enter into the debt with which they come into the Union. It is absolutely essential, in view of Confederation, that the two extremes should be connected, and the Intercolonial Railway is to be built for that purpose, both parties contributing towards it. It is, moreover, to be observed that, apart from the general and military advantage to all British North America, New Brunswick and Nova Scotia derive the greatest local advantage from the connecting link; and Nova Scotia fully as much as New Brunswick, as having Halifax for the terminus.

But Mr. McLelan goes even further, and says distinctly that they claim to have “the returns from all their railways, or an equivalent.” It is evident that such an arrangement is directly opposed both to the spirit and to the letter of the Act of Union; and even if the whole scheme could now be remodelled upon the basis proposed by Mr. McLelan, it would be detrimental rather than otherwise to Nova Scotia, as the railways of New Brunswick and the public works and railway advances of Canada must evidently be treated in the same way.

IX. The final point which is discussed in Mr. McLelan's letter is a most important one for Nova Scotia, and is indeed the basis of the whole question between us, viz, has Nova Scotia the means of carrying on the necessary local expenditure without having recourse to direct taxation, or some other means of raising the requisite revenue over and above what it will have to contribute towards the general government? Mr. McLelan states the case thus:—

The average amount of local expenditure has been.....	\$ 658,000
Against which they have subsidy.....	\$324,000
Local revenues.....	132,000

456,000

Deficiency..... \$202,000

In one respect Mr. McLelan clearly understates his case, as he takes no notice of the interest payable by Nova Scotia on the balance of the debt above eight millions, which would make the deficiency during the current year about \$250,000, and the \$658,000 set down for the average expenditure is below the real amount, if we take the  $4\frac{1}{2}$  years ending 30th June, 1868, as they stand in Statement F, prepared in my



office, of the receipts and expenditure in Nova Scotia from sources which are now under the Local Government.

According to this statement the average annual expenditure would be.....	\$790,334
Average receipts.....	\$177,443
Subsidy paid in Canadian currency.....	333,581
	<hr/> 511,024

Deficiency..... \$279,310

Judging from the same statement, even this would hardly be enough to estimate; for of late years the local expenditure has increased very much more rapidly than the local receipts, and if it is maintained at the same rate, the deficiency, judging from the nine months ending June, 1867, and the succeeding twelve months, would, in either case, amount to almost the same sum, a little more than \$347,000. To this must be added the interest which Nova Scotia must pay to the Dominion on the excess of debt over eight millions, bringing up the whole deficit to close upon \$400,000.

This is a subject of such importance that it is desirable to examine it in the light of the estimates submitted to the Provincial Parliament for the year ending 30th September, 1869. The probable deficiency is therein estimated at about \$208,000, closely resembling Mr. McLelan's calculations; but the resemblance, is to a great extent, casual, as Mr. McLelan does not, and the Parliamentary Estimates do, include the amount payable on the overplus of the debt. If we compare this estimate item by item with the expenditure of the last two years, excluding minor difference, such as will always occur, the main items upon which the former expenditure exceeded the present estimate are the cost of certain buildings, the new Province building, the lunatic asylum and the hospital, which it is presumed are nearly completed, and an item called the "miscellaneous and advances," the advances being covered by corresponding repayments, which are not included in the estimate of revenue. I think, therefore, that the deficit, as estimated by the Provincial Government, may be taken as substantially correct, and that if anything it is rather understated.

There is no doubt that this, in a great measure, arises from the expenditure in Nova Scotia having been in excess of its income. If we take the ordinary revenue and expenditure, exclusive of everything affecting the increase or diminution of the debt, and exclusive of railways and other public works, which may be considered an expenditure on capital account, the comparison will stand as follows:—(Vide Statement D.)

	Nine months ending Sept., 1864.	Year ending September, 1865.	Year ending September, 1866.	Nine months ending June, 1867.	Year ending June, 1868.
Expenditure .....	\$ 923,747	\$ 1,484,738	\$ 1,898,548	\$ 1,549,620	\$ 2,097,821
Receipts.....	992,174	1,432,247	1,721,728	1,216,830	1,738,734
Surplus .....	68,427				
Deficit .....		52,491	176,820	332,790	359,087

It is clear, therefore, that the financial position of Nova Scotia before Confederation was not in a sound condition, and that in any case, in order to maintain their expenditure at the same rate as formerly, they would have had to increase their taxation. But if we analyze this statement, as is done in Statements E and F, taking in the one the receipts and expenditure with respect to services which are now under the Dominion, and in the other those which remain with the Province, it will be evident that they are not relieved from their financial difficulty by Confederation. In every year the Dominion statement shows a surplus, and in every year that of the Province shows a deficiency. If now we take the subsidy into account, as

that had been payable in all those years, deducting it from the surplus the one case, and from the deficiency in the other, the result will show the loss or in which each would have made by the transaction, based merely upon the cash transactions of those years, and without any reference to additional interest, payable consequence of further engagements entered into.

	Nine months ending Sept., 1864.	Year ending September, 1865.	Year ending September, 1866.	Nine months ending June, 1867.	Year ending June, 1868.
	\$	\$	\$	\$	\$
Dominion Receipts.....	880,671	1,291,697	1,557,162	1,068,788	1,504,910
Expenditure .....	470,609	790,264	1,022,137	890,650	1,173,178
Surplus .....	410,062	501,433	535,025	178,138	331,732
Subsidy .....	250,186	333,581	333,581	256,186	333,581
Gain or loss ..	159,876	167,852	201,444	72,048	1,849
Province Expenditure.....	453,138	694,474	876,411	658,970	924,643
Receipts.....	111,503	140,550	164,566	148,042	233,824
Deficit .....	341,635	553,924	711,845	510,928	691,819
Subsidy .....	250,186	333,581	333,581	250,186	333,581
Loss .....	91,449	220,343	378,264	260,742	357,238
United loss or gain .....	68,427	52,491	176,820	332,790	359,087

Which latter figures are the same as those before given as the surplus and deficiency in those years. The deficit for the year 1867-8, is deduced in Statement L by a different process, and produces a still larger deficiency. So that in the three first years, whilst the Dominion would have realized an annual profit out of the partnership the Province would have sustained a heavy loss. In the two last years both parties would have suffered a loss, or, in other words, the revenues of Nova Scotia were not enough to pay all its expenses, but whilst those of the Dominion were nearly covered by its revenues, the main portion of the loss fell on the Province, to the serious extent of more than one-third of its local expenditure.

In this statement I have not taken into account any excess or otherwise of the debt over eight millions, which would have unnecessarily complicated the statement. In the earlier years it would have had the effect of somewhat reducing both the gain of the Dominion and the loss of the Province. On the 30th of June, 1867, the debt stood approximately at \$8,026,117, and on the 30th June, 1868, \$8,707,044. I say approximately, because the principles upon which the debts of the Provinces are to be ascertained have not yet been fully determined upon. If we take \$8,366,580, the average of those two sums, it would leave \$366,580 as the balance of the debt, for which Nova Scotia would have been responsible, and 5 per cent. upon which should have been deducted from its subsidy. This would have brought up the deficiency of the Province to \$375,568, and would have more than compensated for the apparent loss to the Dominion. If we now take into account the large expenditure by the Province on buildings, in 1867-8, which, as I before stated, will not have to be repeated in other years, to the extent of from \$100,000 to \$150,000, we arrive at a very similar sum for the probable permanent deficiency of Nova Scotia to that estimated by the Government for next year.

This statement appears to me to be conclusive as to the impossibility of Nova Scotia carrying on its ordinary expenditure under the present terms of Confederation, without resorting to direct taxation, or throwing the burden of education or local works, partially, at least, upon the municipalities. It is true that this is already largely done by Canada proper, and that without the municipal taxes its local expenditure could not be kept up to its present amount; but a Nova Scotian may very well answer that their provincial revenues were enough for their wants in this respect,



without having recourse to municipal taxation. It is true, also, that from the gradually increasing deficit of the last few years, and from the additional works and subsidies to railways, for which they had made themselves responsible, these revenues would have been no longer sufficient. They would have been compelled to raise their tariff to as high a rate as that in Canada, and even then, perhaps, some additional charges might have fallen on the municipalities; but the fact still remains, that up to the date of Confederation, whatever their increasing expenditure might have been preparing for them in the future, the ordinary expenditure went on as usual, and that for education was largely increased, without any additional burden falling upon the people. The advent of Confederation immediately caused a deficiency, equal to at least a third of their usual local expenditure, and it will be impossible to persuade them, even if it be not true to the full extent, that the *post hoc* is not the *propter hoc*.

Let us examine to what extent it is true. The debt for which the works they had undertaken before Confederation, and the growing liabilities to their financial agents and others, would have made them responsible, is estimated at \$9,300,000. Their debt at the time of Confederation, exclusive of floating debt, and the debentures issued but not sold, was—

Debentures.....	\$4,961,500
Savings bank.....	657,610
Province notes.....	622,458

\$5,241,568

Leaving a balance of \$4,058,432 uncovered. Supposing that, including discount on the sale of their debentures and charges, they would have had to pay 7 per cent. to raise this sum, this would have involved an additional annual charge of \$284,000. The annual deficit must have been also met. This, in 9 months ending 30th June, 1867, was \$332,790. If to arrive at the deficit for 12 months we add a third, it would bring the sum to \$443,720; or if we add a fourth of the previous 12 months, which would probably be fairer, it would be \$376,995. The deficit on the year ending 30th June, 1868, has only been \$359,238. If, then, we assume a round sum of \$360,000 as an average deficit, and deduct from it the \$150,000 for buildings, which, as I before stated, need not be repeated, we may state it at \$210,000. There should also be a further deduction made for interest. The interest which the debt above stated bore was 6 per cent. upon the debentures and 4 per cent on the savings banks; in all, \$323,994; but the interest paid as estimated by me for the 12 months by adding a quarter of that paid in the 12 months ending 30th September, 1866, was \$364,014, and as stated by Mr. McLelan, \$358,787. Assuming his figures to be correct, \$35,73 must have been paid on account of floating debt, which, in this calculation, I have provided for otherwise. If, then, we estimate the deficiency at \$174,000, exclusive of the interest, and add the additional \$284,000 interest payable as above, we arrive at a total annual deficiency of \$458,000 which Nova Scotia would, at any rate, have had to meet. The percentage of the duties collected in the 9 months, ending 30th June, 1867, on the \$5,540,112 of dutiable articles imported, was 14·88 (see Statement H). In order to raise the \$458,000 above named, they would have been obliged, if they had depended upon Customs alone, to have put on an additional 6·21 per cent. upon the \$7,376,816 dutiable goods, which we may take as the annual consumption on the basis of the 9 months ending 30th June, 1867, bringing up the rate of duty to 21·09. The rate at which they have paid during the 9 months after Confederation, for which alone I have perfect returns, has been 17·07, so that they would in any case have had to increase their duties 4 per cent. more than Confederation has increased them; and that 4 per cent., which has not been collected from them, amounts, on the same estimates of total dutiable articles consumed during a year, to \$295,000, which is more than the deficit they now complain of.

Or, to take another view of the question, we will suppose that Nova Scotia could have raised the additional \$4,058,432 at 6 per cent., although that is hardly probable.

This would give an additional interest of..... \$243,506  
 The interest payable on the debentures and  
 savings bank debt was, at the date of Con-  
 federation..... \$323,994  
 They actually paid, in 1866 (*vide* Statement D) 309,135

Or they did not pay their full interest by..... 14,859  
 The deficiency as shown above was..... 175,820

Additional amount payable beyond revenues received  
 in 1866.....\$435,185

This upon the value of dutiable goods imported that year would have required  
 further duty of 4·69 per cent., bringing up the total percentage to 17·90, whereas  
 Canada, in the year ending 30th June, 1866, paid 22·03 per cent.

Again, taking  $\frac{3}{4}$  of the additional interest above.....\$182,730  
 $\frac{3}{4}$  of the interest of their then fixed debt was.....\$242,996  
 They did pay, in the 9 months ending June, 1867 286,730

Or they paid on floating debt..... 43,734

Balance to be met.....\$138,996  
 And they had a deficiency of..... 332,790

Additional amount payable beyond revenues rec'd in 1877 \$471,789

Which would have required an additional percentage on their dutiable impor-  
 tations during the nine months of 8·52, making the whole 23·40, against 19·64, the  
 average rate in Canada for the year ending June, 1867.

Again, taking the additional interest at.....\$243,506  
 Interest on fixed debt.....\$323,994  
 Interest paid in the year ending June, 1868. 375,861

Or they paid on floating debt..... 51,867

.....\$191,639  
 And they had a deficiency of..... 359,097

Additional amount payable beyond revenues received in  
 1867-68.....\$550,736

As the returns do not enable me to give the dutiable goods imported into Nova  
 Scotia during the whole of the past year, and as they would, at any rate, be affected  
 by the goods which paid duty in Canada and New Brunswick, although they were  
 consumed in Nova Scotia, I will take the 12 months' average of the dutiable goods  
 imported in the 21 months before Confederation. The above deficiency would have  
 required a percentage in this amount of 6·50, which, added to the average percentage  
 paid by them in these 21 months, would give 20·34 against 20·79 paid in Canada  
 during the same period.

It appears certain, therefore, that if Confederation had never taken effect, Nova  
 Scotia, with the additional works for which they had made themselves responsible,  
 and with the increasing deficit which had to be met, would have been obliged to put  
 on at least as high a rate of duties as that in Canada, in order to enable them to keep  
 up their ordinary rate of expenditure; and if they had raised the money at a discount,  
 such as with charges, would have made their new loans cost them 7 per cent., and if  
 they had been unable to maintain their provincial notes as heretofore, as a practically  
 irredeemable currency, they would still have had a deficiency of \$100,000 or upwards.  
 But a Nova Scotian may very well argue, on this supposition their deficiency for



local expenditure would, at any rate, not have exceeded \$100,000, whereas, now it will amount probably to \$250,000, and to this extent I think my calculations would bear out their case, if they are really contributing now in Customs and other taxes, at as high a rate as Canada paid before Confederation. The returns of the nine first months of Confederation indicate an average percentage of duties 3 per cent. less than the old rate in Canada, and the total amount of duties paid in Nova Scotia is \$25,000 less than in the nine months before Confederation. No certain conclusions, however, can be drawn from these figures. The rate per cent. will appear less than what they will pay on the average, because in the earlier months they were paying under their own lower scale of duties; and the total amount collected may have been materially modified by importations of duty-paid goods from Canada and New Brunswick, the duties upon which, though collected elsewhere, were really paid by the Nova Scotians. There has not been time during the short period since the effect of Confederation has been fully felt to enable us to show with any certainty the financial consequences to Nova Scotia, but I think that the above considerations sufficiently indicate: (1) That Nova Scotia is now unable to meet its local wants, without local taxation to the extent of from \$200,000 to \$250,000. (2.) That if Confederation had never taken place it would have been obliged to increase its annual taxation to fully as great an extent as it is now under the Dominion. (3.) But that in that case its local wants would have been provided for, at least for some years to come, whereas now there will still be a deficiency for local purposes.

It must not, however, be inferred, as it might be from previous statements, that the Dominion receives more from Nova Scotia than it has to pay for ordinary current expenses. I showed above that during the year 1867-8, the ordinary Dominion revenues in Nova Scotia were..... \$1,504,910

Ordinary Dominion expenditure.....	\$1,173,178	
Add subsidy.....	333,581	
		<u>1,506,759</u>
Excess of expenditure.....	\$	<u>1,849</u>

And that if the interest payable on the excess of debt had been deducted from the subsidy the deficiency would have been converted into a surplus of \$16,480. But this expenditure only includes the cash payments by the paymaster at Halifax, and by the agents in London for interest, and it does not include any allowance for Nova Scotia's share of the general expenses of government paid at Ottawa. Now the whole expenses of civil government, exclusive of the Lieutenant-Governors' salaries in all the Provinces, and of other expenses paid in Nova Scotia,

Were .....	\$545,956	43
The expenses of legislation, exclusive of election expenses in all the Provinces, were.....	547,336	18
Total .....	<u>\$1,093,292</u>	<u>61</u>

Of this sum \$117,043 would be chargeable against Nova Scotia, according to its population, leaving a total deficiency on account of Dominion services of \$100,563. This would certainly be the result of the transactions of 1867-8, but it may be questioned whether the deficiency would be a permanent one, as their former lower tariff was in force during a considerable portion of that year.

I have taken no account of the additional charge which will fall upon Nova Scotia on account of the Intercolonial Railway, which would only complicate the statements unnecessarily. It is to be assumed that the railway, when it comes, will confer advantages equivalent to its cost.

X. Mr. McLelan makes a strong point of the superior advantage enjoyed by Ontario and Quebec. The following estimate is based upon the expenditure of the year ending June, 1867, for services which are now under the control of the Provinces.

Ontario's subsidy is.....	\$1,196,872
Less 5 per cent. on, say 5-9ths of \$10,000,000.....	277,777
	<u>\$ 919,095</u>
5 per cent. interest on funds in the hands of the Dominion, applicable to general purposes.....	136,508
Average receipts for 3 years on lands.....	711,979
	<u>\$1,767,582</u>
Expenditure for provincial purposes, year ending June, 1867 .....	1,138,602
	<u>\$ 629,480</u>
Surplus .....	<u>\$ 959,252</u>
Quebec's subsidy is.....	222,222
Less 5 per cent. on, say 4-9ths, of \$10,000,000.....	
	<u>\$ 737,300</u>
5 per cent. interest on funds in the hands of the Dominion, applicable to general provincial purposes .....	43,935
Average receipts for three years on lands.....	328,327
	<u>\$1,109,292</u>
Expenditure for provincial purposes for year ending June, 1867.....	1,093,031
	<u>\$ 16,261</u>
Surplus.....	

In this estimate I have not taken into account the receipts in either Province, on account of the municipal loan fund, or of local taxes, which were paid under the Government of the united Province, and which are now transferred to them.

If they are included, the surplus would be brought up:—

In Ontario to.....	\$939,163
In Quebec to.....	251,091

out of which they would have to meet legislative and executive expenses, to which there was nothing analogous in 1867.

This more favorable position of Ontario and Quebec is the consequence of the value of their lands, and of the trust funds established in their favor for educational and other purposes, on the one hand, and on the other of their having been accustomed to pay out of municipal taxation much of the local expenditure, which, in Nova Scotia, was borne by the General Government. They have come into the partnership, so to speak, with larger private means, but unless Nova Scotia is wronged in the distribution of the general burdens of the united Provinces, this is no just cause of complaint.

To conclude this report, which is extended far beyond what I had originally proposed, of the several heads of complaint made by Mr. McLelan I think that he is in error in saying that there is anything unfair in our mode of arriving at our net debt, or in the transfer to Ontario and Quebec of certain local assets; and the railways and public works with which we enter the Union are fully equal to those of Nova Scotia, both as regards their general value as means of communication and in the money return which they contribute to the general treasury. I am inclined, however, to agree with him in his arguments as to the principle upon which the debt with which each ought to have entered the Union should be decided—Nova Scotia ought to have been allowed a larger debt, or Canada a smaller one. There can be no doubt that Nova Scotia will have to pay more in taxation under Confederation than it had previously been accustomed to, but not more than its increasing deficits and its



new engagements would have entailed upon it. I think that it is also established that Nova Scotia does not contribute more than its share towards the general expenses, but that without some additional resource it will not have the means of paying for its accustomed local expenditure.

JOHN LANGTON, *Auditor.*

Hon. JOHN ROSE, Minister of Finance, Ottawa.

### RETURN

To Address of the HOUSE OF COMMONS, dated 23rd February, 1870, for copies of all Despatches or Correspondence with the Imperial Government, or any of the Provincial Governments, on the subject of the new financial arrangements made with Nova Scotia; with copies of Resolutions introduced into the Legislative Assembly of the Province of Ontario, relative to the disturbance of the British North America Act by said special financial arrangement; also the Address to Her Majesty from the Ontario Legislature, condemnatory of such interference with the Union Act, and praying the interposition of Her Majesty's Government to prevent its recurrence.

By Command,

J. C. AIKINS, *Secretary of State.*

DEPARTMENT OF THE SECRETARY OF STATE, OTTAWA, 4th March, 1870.

(No. 99.)

OTTAWA, 1st March, 1870.

Despatch from Lieutenant Governor Ontario, 28th Dec., 1869.

Address to the Queen from Legislative Assembly, 1st Dec., 1869.

Resolutions of Legislative Assembly, 23rd Nov., 1869.

O. C. 7th Jan., 1870, Report of Minister of Justice, 5th Jan., 1870.

Secretary of State to Lieutenant Governor Ontario, 10 Jan., 1870.

SIR,—With reference to the Address of the House of Commons, of the 23rd ultimo (a copy of which was referred by you to this Department on the 24th ultimo), asking for copies of certain documents connected with the new financial arrangements made with Nova Scotia, I have now the honor to transmit to you herewith copies of documents noted in the margin, which are the only papers relating to the subject of record in this Department.

I have the honor to be, Sir,

Your most obedient servant,

JOSEPH HOWE,

*Secretary of State for the Provinces.*

E. PARENT, Esq., Under Secretary of State for Canada.

GOVERNMENT HOUSE, TORONTO, 28th December, 1869.

SIR,—I have the honor to transmit herewith an Address, voted by the Legislative Assembly of this Province, to Her Most Gracious Majesty the Queen, and to request that His Excellency the Governor General will be pleased to cause the same to be laid at the foot of the Throne. I also enclose copies of the Votes and Proceedings of the Legislative Assembly, which took place upon the introduction and consideration of resolutions, upon one of which the Address is founded.

I have, &c.,

W. P. HOWLAND, *Lieutenant Governor.*

Hon. the Secretary of State for the Provinces, Ottawa.

*To the Queen's Most Excellent Majesty:*

MOST GRACIOUS SOVEREIGN,—We, Your Majesty's most dutiful and loyal subjects, the Legislative Assembly of Ontario, in session assembled, humbly approach Your Majesty for the purpose of praying that Your Majesty may be graciously pleased to cause a measure to be submitted to the Imperial Parliament for the purpose of removing all color for assumption by the Parliament of Canada of the power to

disturb the financial relations established by the British North America Act (1867), as between Canada and the several Provinces.

All which the Legislative Assembly of Ontario humbly pray Your Majesty to take into Your gracious and favorable consideration.

JOHN STEVENSON, *Speaker*.

HOUSE OF ASSEMBLY, TORONTO, 1st December, 1869.

CHARLES J. GILLMOR, *Clerk*.

Mr. Blake moves, seconded by Mr. McKellar :

1. That under the former constitution, large local expenditure in Upper Canada and Lower Canada were provided for by the Legislature of United Canada, a system which, in the belief of a large proportion of the people, produced great extravagance, lavish and improper grants of public funds for local purposes, an unfair distribution of the public revenue, as between the two Provinces, and other serious evils, all bearing with peculiar pressure on Upper Canada, and resulting in extreme dissatisfaction and bitter sectional strife.

2. That as a remedy for these and other grievances, the scheme of Confederation was devised and submitted to the representatives of the people, who were assured that under the proposed Federal constitution each Province would, for its local expenditure, be obliged to rely exclusively on its own resources, as provided by the scheme, and that the revenues at the disposal of the General Parliament would be applicable exclusively to general as distinguished from local services.

3. That the aid to be given under the scheme to each Province towards the maintenance of its Government and Legislature, was proposed to be apportioned according to the population in 1861, and was expressly stated to be in full settlement of all future demands on the General Government.

4. That though there was no ground for argument, that the basis of apportionment operated unfairly towards Upper Canada, whose population had, since 1861, increased more rapidly, and whose contribution to the revenue was greater in proportion to population than that of the rest of the Dominion, yet it was cheerfully agreed to by the representatives of Upper Canada, as being the basis, settled by the delegates from all the Provinces, and the price of the redress Upper Canada was obtaining.

5. That the delegates to the London Conference made alterations in the financial arrangements unfavorable to Upper Canada, by which the subsidies to Nova Scotia and New Brunswick were to be increased with the increase of population in those Provinces up to a certain maximum, while the subsidies to Upper Canada (now Ontario) were left stationary; and by which, special additional subsidies were granted to the Provinces at the rate of 5 $\frac{3}{4}$  cents per head to Ontario, 6 cents per head to Quebec, 18 cents per head to Nova Scotia, and 19 cents per head to New Brunswick, and the British North America Act, 1867, was passed by the Imperial Parliament, consummating the Union on the terms so altered.

6. That the representatives of Ontario, notwithstanding the said unfavorable alterations, accepted the Union Act, in furtherance of the accomplishment of Union, and in the belief that the financial arrangements embodied in the Act were final, that the sums thereby granted to the Provinces were in the language of the Act, "in full settlement of all future demands on Canada," that under the Act the public service of each Province was to be provided for out of the revenues thereof, and not out of the revenues of Canada, which were to be appropriated to the public service of Canada solely; and that thus the great grievance of the application of general funds to local services was removed for ever.

7. That the financial arrangements made by the Union Act, as between Canada and the several Provinces, cannot, and ought not, to be changed by the Parliament of Canada.

8. That the financial arrangements made by the Union Act, as between Canada and the several Provinces, ought not to be changed without the assent of the several Provinces.



9. That the Parliament of Canada, at its last Session, passed an Act, whereby the amount of debt at which Nova Scotia entered the Union was increased by \$1,188,756, and her subsidy was increased by an annual payment of \$82,698 for ten years, making altogether an alteration in favor of that Province of over \$2,000,000, of which Ontario pays over \$1,100,000.

10. That by the assumption, by the Parliament of Canada, of the power by the Nova Scotia Act claimed, the former evils, so far from being removed by Confederation, will be intensified, the just expectations of the people will be disappointed, sectional strife will be aroused, the Federal principle will be violated, and the constitution will be shaken to its base.

11. That no such change as is effected by the Nova Scotia Act should have been made without a general revision and re-adjustment of the financial arrangements as between the several Provinces; and the said Act is grossly unjust to Ontario.

12. That an humble Address be presented to Her Most Gracious Majesty, embodying the foregoing resolutions, and praying that she will be pleased to disallow the said Act.

13. That in the opinion of this House the interests of the country require such legislation as may remove all color for the assumption, by the Parliament of Canada, of the power to disturb the financial relations established by the Union Act, as between Canada and the several Provinces.

*COPY of a Report of a Committee of the Honorable the Privy Council, approved by His Excellency the Governor General in Council on the 7th January, 1870.*

5th January, 1870. The Committee of Council have had under consideration the annexed report of the Hon. the Minister of Justice, on a despatch from the Lieutenant-Governor of Ontario, of the 28th December, 1869, enclosing an Address from the Legislative Assembly of that Province to Her Majesty, and also copies of the Votes and Proceedings which took place upon the introduction and consideration of resolutions, on one of which the Address is founded.

The Committee advise, as recommended in the above report, that the Address be transmitted to the Secretary of State for the Colonies, and that Your Excellency will be pleased at the same time to call the attention of Earl Granville to his despatch of 23rd August last.

Certified,

WM. H. LEE. Clerk Privy Council.

DEPARTMENT OF JUSTICE, OTTAWA, 5th January, 1870.

The undersigned, to whom was referred a despatch from the Lieutenant-Governor of Ontario, bearing date the 28th inst., enclosing an Address from the Legislative Assembly of that Province to Her Majesty, and also copies of the Votes and Proceedings of the Legislature, which took place upon the introduction and consideration of resolutions, on one of which the Address is founded, has the honor to report:—

That this Address seems to have been adopted in consequence of the passage by the Parliament of the Dominion of the statute 32 and 33 Vic., cap. 2, entitled, "An Act respecting Nova Scotia," and as a protest against it.

The statute in question was the result of a negotiation carried on between the Government of Canada and Messrs. Howe and McLelan, the two leading representatives of Nova Scotia in the Dominion Parliament, for the purpose of removing the causes of complaint of the people of Nova Scotia, as to the unfairness or inequality of the financial arrangements under which Nova Scotia entered the Union.

While the measure was in progress in the Canadian Parliament, objection was taken to the constitutional power of that Parliament to deal with the question, and the attention of the Secretary of State for the Colonies having been called to the discussion. His Lordship thought it well to take the opinion of the law officers of the Crown. That opinion was conveyed to Your Excellency by Lord Granville's

despatch, dated the 23rd August last, and was, shortly, that the Act was one which it was competent for the Parliament of Canada to pass under the powers vested in it by the 71st section of the British North America Act, 1867.

The undersigned, under the circumstances, thinks it only necessary to recommend that the Address be transmitted to the Secretary of State for the Colonies, as requested by the Legislature of Ontario, and that Your Excellency should, at the same time, call the attention of Lord Granville to his despatch.

All of which is respectfully submitted.

JOHN A. MACDONALD.

OFFICE OF SECRETARY OF STATE FOR THE PROVINCES,  
OTTAWA, 20th January, 1870.

SIR,—Adverting to my letter of the 29th ultimo, I have the honor to inform you that the Address to the Queen and the printed copies of the Votes and Proceedings of the Legislative Assembly of the Province of Ontario, transmitted with your letter of the 28th ultimo, have been duly forwarded by His Excellency the Governor General to the Secretary of State for the Colonies.

I have, &c.,

JOSEPH HOWE, *Secretary of State for the Provinces.*

The Honorable W. P. Howland, C.B., Lieutenant Governor, Toronto.

GOVERNOR GENERAL'S OFFICE, OTTAWA, 4th March, 1870.

Governor General to  
Secretary of State, No.  
78, July 2, 1869.

Secretary of State to the  
Governor General, No.  
168, August 23, 1869.

Governor General to  
Secretary of State, No.  
6, Jan. 11, 1870.

SIR,—I have the honor to transmit herewith copies of correspondence, as noted in the margin, "On the subject of the 'new financial arrangements with Nova Scotia,'" to be communicated to the House of Commons, in answer to the Address of the 23rd February, returned herewith.

I have the honor to be, Sir,

Your most obedient servant,

F. TURVILLE, *Governor's Secretary.*

Hon. the Secretary of State for Canada.

*The Governor General to the Secretary of State.*

GOVERNMENT HOUSE, OTTAWA, 2nd July, 1869.

MY LORD,—I have been informed that, as a general rule, the statutes passed at any Session are not transmitted to the Colonial Office until printed in one volume. It has, however, been the practice occasionally to send home Bills which may be supposed to possess something of especial interest.

In addition, therefore, to the Bills reserved for the signification of Her Majesty's pleasure, as per my despatch of 2nd July (No. 74), I beg leave to send forward for Your Lordship's consideration the following Bills, to which I have given the Royal Assent, and of which the copies enclosed are duly authenticated by the certificate of the proper officer of the Senate:—

1st. "An Act for the temporary government of Rupert's Land."

The title of this Act sufficiently explains its purport, of making provisional arrangements for the due administration of affairs in the North-West Territory, immediately on its transfer to Canada, and remain in force until a more settled order of things can be entered upon.

2nd. "An Act respecting Nova Scotia."

This Act affirms the arrangements entered into last spring with Messrs. Howe and McLelan, as the representatives of the more moderate amongst the dissentients in Nova Scotia, and gives the sanction of Parliament to the increased allowance which it was thought fair and right to concede, in order to satisfy just complaints and conciliate attachment in that colony.

3rd. "An Act respecting Immigration and Immigrants."



This Act gives effect to the arrangements arrived at upon the subjects between the Government of Canada and the Provincial Governments. It sanctions the appointment of agents in Europe and the maintenance of quarantine stations and immigration offices at various places in the Dominion. It regulates the duty payable on landing immigrants, the proportion of passengers to the size of the vessel, the obligations of masters, the duty of quarantine officers, and provides for the protection of passengers, both on board the ships and for some time after their arrival in this country, as well as for other points which I need not enumerate.

There are some other Bills coming under the same category as those mentioned in this despatch, which I will duly send forward as soon as they shall have been furnished to me with the proper authentication.

I have, &c.,

JOHN YOUNG.

The Right Honorable the Earl Granville, K.G., &c.

*The Secretary of State for the Colonies to the Governor General.*

DOWNING STREET, 23rd August, 1869.

SIR,—As I observed that a doubt was entertained during the passing of the Act “respecting Nova Scotia,” a copy of which was enclosed in your despatch (No. 78) of the 2nd July, whether it was competent for the Legislature of Canada to pass such a measure, I thought it desirable to take the opinion of the law officers of the Crown upon the point; and I have been advised that the Act is one which it was competent for the Parliament of Canada to pass under the powers vested in it by the 31st section of the British North America Act, 1867.

I have, &c.,

GRANVILLE.

His Excellency Sir JOHN YOUNG, Governor General, &c.

*The Governor General to the Secretary of State.*

GOVERNMENT HOUSE, OTTAWA, 11th January, 1870.

7th January, 1870.

MY LORD,—I have the honor to transmit to Your Lordship a Minute of the Privy Council of the Dominion, and an Address from the Legislative Assembly of the Province of Ontario, for presentation to Her Most Gracious Majesty, “praying that Your Majesty may be graciously pleased to cause a measure to be submitted to the Imperial Parliament for the purpose of removing all color for the assumption by the Parliament of Canada of the power to disturb the financial relations established by the British North America Act, 1867, as between Canada and the several Provinces.”

The alleged disturbance of financial relations between the Provinces, which forms the subject-matter of the complaint embodied in this Address, is the Act, cap. 2, Vict. 32 and 33, 1869—“An Act respecting Nova Scotia”—which, as stated in my despatch, No. 78, of 2nd July, 1863, “affirms the arrangements entered into last spring with Messrs. Howe and McLelan, as the representatives of the more moderate amongst the dissentients in Nova Scotia; and gives the sanction of Parliament to the increased allowance which it was thought fair and right to concede, in order to satisfy just complaints, and conciliate attachment in that colony.”

I need not add more than references to my communication of the above date, and to Your Lordship’s reply, No 168, of 23rd August, 1869, communicating the opinion of the law officers of the Crown, that “the Act (in question) is one which it was competent for the Parliament of Canada to pass under the powers vested in it by the 31st section of the British North America Act of 1867.”

I have, &c.,

JOHN YOUNG.

The Right Honorable the Earl GRANVILLE, K. G.

*Supplementary Return laid before the House 9th March.*

HALIFAX, NOVA SCOTIA, 22nd July, 1869.

SIR,—In compliance with the desire of the members of my Government, conveyed to me by a Minute of Council, held on the 20th inst. (copy of which is transmitted herewith), I have the honor to call the attention of His Excellency the Governor General to the accompanying resolutions, which were carried during the last Session of the House of Assembly of this Province, indicating the policy of the Administration; and I am further to request that His Excellency will be pleased to cause a copy of them to be transmitted to Her Majesty's Principal Secretary of State for the Colonies.

I have, &amp;c.,

HASTINGS DOYLE.

The Honorable the Secretary of State for the Provinces, &amp;c., Ottawa.

EXTRACT from one of the *Minutes of Council, held at Government House, Halifax, Nova Scotia, on Wednesday, the 20th July, 1869.*

## PRESENT :

His Honor the Lieutenant Governor.

The Hon. William Annand.

do W. B. Vail.

do M. J. Wilkins.

do R. Robertson.

do R. A. McHeffey.

"That His Honor the Lieutenant Governor be respectfully requested to transmit the resolutions, which were carried in the House of Assembly, in the last Session, as indicating the policy of the Administration, to Her Majesty's Principal Secretary of State for the Colonies, and His Excellency the Governor General."

A true copy

HASTINGS DOYLE.

COPY of Resolutions passed by the House of Assembly of Nova Scotia, on the 25th day of May, 1869.

Whereas, His Grace the Duke of Buckingham, late Secretary of State for the Colonies, in a despatch bearing date 4th June last, has thrown upon the Government and Parliament of Canada the responsibility of conciliating the people of this Province, and reconciling them to Confederation.

And whereas, Earl Granville, Secretary of State for the Colonies, in a despatch of the 13th of January last, probably written under the impression that sufficient time had not then been afforded the Government and Parliament of Canada to try out the policy of conciliation with which they were charged by Her Majesty's Ministers, has said, "I can hold out no expectation that Her Majesty's Government will propose, or that Parliament will entertain any measure for the repeal of the Act of 1867."

And whereas, in view of that decision of Her Majesty's Government, it is expedient to wait such reasonable time as may be necessary for the Canadian Government and Parliament to mature and submit measures of relief for the pacification and conciliation of the people of this Province.

Resolved,—That pending the deliberation and decision of the Canadian Government, it is the duty of this House to declare:—

1st. That the expectation held out in the despatch of His Grace the Duke of Buckingham to the Governor General, of the 4th June last, that the Government and Parliament of Canada should relax or modify existing arrangements relative to taxation, the regulation of trade, and the fisheries, which may prejudice the peculiar interests of Nova Scotia and the maritime portion of the Dominion, should be fully complied with.



2nd. Resolved,—That this House will accept of any increase of subsidy from the Canadian Government that may be offered, as an instalment of the amount justly due this Province, reserving the right to demand from said Government such further sum or sums of money, as, upon a full investigation of the statistics in regard to population, public property and increased taxation, will more fully appear.

3rd. Resolved,—That while the enforced union of Nova Scotia, under the British North America Act, continues, it is the duty of this House to seek such modifications and improvements of said Act as will make it less burdensome and injurious to the people of this Province, among which the following are the most important:—

That the Maritime Provinces of Nova Scotia and New Brunswick should be considered as a unit, with separate and distinct interests from other parts of the Dominion, which can only be guarded and promoted by an increased representation in the House of Commons, equal to the number of members allowed to the Province of Quebec, which is in the same proportion as the existing allotment of members to the Senate.

That in the selection of members to the Senate, the Local Legislatures of the Provinces, instead of the Federal Executive, should make all such appointments.

4th. Resolved, further, and it is hereby declared,—That no settlement of the question involved in the passing of the Act of Confederation, either as respects its principles or its details, will be considered as final until after the subject has been submitted for the approval of the people.

Certified.

H. CROSSKILL, *Deputy Secretary.*

*COPY of a report of a Committee of the Honorable the Privy Council, approved by His Excellency the Governor General in Council on the 20th August, 1869.*

On a despatch from the Lieutenant-Governor of Nova Scotia, dated 22nd July, 1869, stating that in compliance with the desire of the members of his Government, conveyed to him by a Minute of Council held on the 20th instant, he submits for the consideration of Your Excellency the accompanying resolutions, which were carried during the last Session of the House of Assembly of that Province, indicating the policy of the Administration, and requesting that Your Excellency will be pleased to cause a copy of them to be transmitted to Her Majesty's Principal Secretary of State for the Colonies.

The Committee advise that in compliance with the request conveyed in the Minute of the Executive Council above referred to, a copy of the resolutions in question, be forwarded by Your Excellency to the Right Honorable the Secretary of State for the Colonies, but they are of opinion that it is not necessary for Your Excellency to make any observations upon them.

Certified.

WILLIAM H. LEE, *Clerk Privy Council.*

OFFICE OF SECRETARY OF STATE FOR THE PROVINCES,  
OTTAWA, 30th August, 1869.

SIR,—With reference to your despatch of the 22nd ultimo, covering a copy of a Minute of your Executive Council of the 20th of that month, and of the resolutions of the House of Assembly of the Province of Nova Scotia, therein referred to, I have the honor to inform you that His Excellency the Governor General has been pleased, on the advice of the Privy Council, to transmit a copy of the resolutions in question to the Right Honorable the Secretary of State for the Colonies.

I have, &c.,

HECTOR L. LANGEVIN, *Secretary of State.*

Major-General Sir HASTINGS DOYLE, K.C.M.G.,  
Lieutenant-Governor, Halifax, N.S.

GOVERNMENT HOUSE, HALIFAX, 19th October, 1869.

SIR,—I have the honor to forward, for the information of His Excellency the Governor General, a copy of a Minute of Council, dated 15th October, 1869, which contains an expression of opinion on the part of my Government as to the desirability of the immediate appointment of a joint commission to negotiate upon the matters settled, and now in dispute, between the Government of the Dominion and that of the Province of Nova Scotia.

I have to request that the same may be brought immediately under the notice of His Excellency.

I have, &c.,

HASTINGS DOYLE, *Lieutenant-Governor.*

on the Secretary of State for the Provinces.

Copy of a Minute of Council passed on Friday, the 15th day of October, 1869.

PRESENT :

His Honor the **LIEUTENANT GOVERNOR,**

The Honorable **WM. ANNAND,**

do **W. B. VAIL,**

do **M. J. WILKINS,**

do **ROBERT ROBERTSON,**

do **R. A. McHEFFEY,**

do **J. C. TROOP,**

do **E. P. FLYNN,**

do **JOHN FERGUSON.**

The attention of the Council was invited to a series of resolutions adopted by the House of Assembly on the 25th of May, 1869, in relation to taxation, the regulation of trade and the fisheries, and the right of Nova Scotia to demand such further sums of money from the Dominion Government as, upon a full investigation of the statistics of the several Provinces, will more fully appear, copies of which resolutions were transmitted to Her Majesty's Principal Secretary of State for the Colonies, and of the Secretary of State for the Provinces, to which only the following reply, after a lapse of nearly three months, has been received :—

OTTAWA, 30th August, 1869.

SIR,—With reference to your despatch of the 22nd ultimo, covering a copy of a Minute of your Executive Council of the 20th of that month, and of the resolutions of the House of Assembly of the Province of Nova Scotia, therein referred to, I have the honor to inform you that His Excellency the Governor General has been pleased, on the advice of the Privy Council, to transmit a copy of the resolutions in question to the Right Honorable the Secretary of State for the Colonies.

I have, &c.,

HECTOR L. LANGEVIN, *Secretary of State.*

Major-General Sir HASTINGS DOYLE, K.C.M.G.

With a view to the pacification, conciliation and contentment of the people of this Province, active measures should be taken to meet their just views and expectations. The Council have again to invite the attention of the Imperial authorities and the Dominion Government to the resolutions aforesaid, and have especially to urge the immediate appointment of a joint commission, charged to arbitrate upon the unsettled accounts between this Province and the Dominion, as well as such readjustment of the financial arrangement, in relation to debts, subsidies and assets as, upon a review of the whole case, may be made to appear necessary.

Certified.

H. CROSSKILL, *Deputy Secretary.*



OFFICE OF SECRETARY OF STATE FOR THE PROVINCES,  
OTTAWA, 25th October, 1869.

SIR,—I have the honor to acknowledge the receipt of your despatch of the 19th inst., covering a copy of a Minute of your Executive Council, dated the 15th inst., urging "the appointment of a joint commission to negotiate upon the matters unsettled, and now in dispute, between the Government of the Dominion and that of the Province of Nova Scotia.

I have, &c.,

HECTOR L. LANGEVIN, *Secretary of State.*

Major-General Sir HASTINGS DOYLE, K.C.M.G.,  
Lieutenant-Governor, Halifax, N.S.

*Copy of a Report of a Committee of the Honorable the Privy Council, approved by His Excellency the Governor General on the 27th December, 1869.*

The Committee have had under consideration a despatch from Sir Hastings Doyle (No. 30), dated Halifax, 19th October, 1869, transmitting a copy of a Minute of the Executive Council of the Province of Nova Scotia, dated 15th October, 1869, and beg leave to report—

That the British North America Act, 1867, defines the relations which are hereafter to subsist between the Dominion and Nova Scotia, and the "Act respecting Nova Scotia," past last Session, and which largely increased the resources of the Local Government, expressly provides that "the grants and provisions made by this Act, and the British North America Act, 1867, shall be in full settlement of all demands on Canada by Nova Scotia."

The Committee, thus restrained by a positive enactment, are deprived of the power to assent to the appointment of a joint commission. If any matters of account remain unadjusted, these can be arranged by the proper Departments, and any communications addressed to this Government, through the Secretary of State for the Provinces, or by personal interview, will be respectfully considered by the Privy Council.

Certified,

WM. H. LEE, *Clerk Privy Council.*

OFFICE OF SECRETARY OF STATE FOR THE PROVINCES,  
OTTAWA, 29th December, 1869.

SIR,—Referring to the letter from this Department of the 25th October last, I have the honor to transmit to you herewith, for your information and that of your Council, a copy of an Order of His Excellency the Governor General in Council, respecting the Minute of your Council, urging the appointment of a joint commission to report on certain matters in dispute between the Government of the Dominion and that of the Province of Nova Scotia.

I have, &c.,

JOSEPH HOWE.

Major General Sir HASTINGS DOYLE, K.C.M.G.,  
Lieutenant Governor, Halifax, N.S.

GOVERNMENT HOUSE, HALIFAX, 11th January, 1870.

SIR,—I have the honor to transmit herewith a copy of a Minute of my Executive Council, which they have requested me to forward to His Excellency the Governor General, and which expresses their views relative to the report of the Committee of the Privy Council, a copy of which was lately laid before them.

I have, &c.,

HASTINGS DOYLE.

The Hon. the Secretary of State for the Provinces.

*COPY of a Minute of Council, passed on the 11th January, 1870.*

The Council have had under consideration a copy of a report of the Committee of the Honorable the Privy Council of Canada, approved by the Governor General in Council on the 27th December, 1869, in reference to the despatch of the Lieutenant-Governor of the 19th October, 1869.

The Council regret that the resolutions of the Local House of Assembly, passed on the 25th May, 1869, and subsequently transmitted to the Dominion Government, to be forwarded to Her Majesty's Secretary of State for the Colonies, by the Governor General, have not received that attention which, in the opinion of the Council, the people of Nova Scotia have a right to expect to be paid to the solemn Resolutions of their representatives in the Legislature.

The Council deem it their duty to again call the attention of the Dominion Government to the despatch of the Duke of Buckingham, of the 4th June, 1868, in which the duty of reconciling the Province to this Confederation is thrown upon Canada.

The resolutions of the 25th May, above referred to, suggested changes and alterations in the political constitution of the Confederation, which the House of Assembly considered indispensable to the security of the people of Nova Scotia.

As the Legislature will meet for the despatch of business on the 17th February, it is important, in the estimation of the Council, that the intention of the Dominion Government, in respect of that part of the resolutions of the 25th May, which refers to changes in the political constitution of the Confederation, should be made known at an early day, in order that the same may be submitted to the representatives of the people, immediately after the assembling of the Local Parliament.

*COPY of a Report of a Committee of the Honorable the Privy Council, approved by His Excellency the Governor General in Council on the 21st January, 1870.*

The Committee of the Privy Council have had under consideration a despatch from the Lieutenant Governor of Nova Scotia, dated 11th January, 1870, enclosing a Minute of his Executive Council.

The resolutions to which that Minute refers, so far as they relate to changes in the constitution of the Dominion, have been already answered in the letter addressed by Sir John A. Macdonald to the Honorable Joseph Howe, on the 6th October, 1868, in which this passage occurs:—

"The constitution is a new one, and, to a considerable degree, experimental; but it seems to me that it should have a fair trial before we pronounce it so defective as to call for immediate alteration—still, that is altogether a matter of opinion.

"The proper, indeed the only place for discussing any such changes is in the Parliament of the Dominion; and the able men who represent Nova Scotia will have full opportunity of pressing their views in their places there."

The Privy Council are not aware that any representative from Nova Scotia has, up to this time, made an attempt to press the peculiar views of constitutional change entertained by the Local Government, but it is quite open to any member of Parliament to do so during the approaching Session. In such case the Council have no doubt that all representations will receive every attention and consideration.

Arrangements have already been made for the efficient protection of the "inshore fisheries" on the coasts of the Dominion, and any suggestions in relation to "taxation," or "the regulation of trade," if made in any practicable form, will be carefully considered by the heads of Departments charged with the fiscal affairs of this Government, and by the Government as a whole.

Certified.

WM. H. LEE, Clerk, Privy Council.

Hon. the Secretary of State for the Provinces.



OFFICE OF SECRETARY OF STATE FOR THE PROVINCES,  
OTTAWA, 24th January, 1870.

SIR,—With reference to your despatch of the 11th instant, covering a copy of a Minute of your Executive Council, I have the honor to transmit to you herewith, for the information of your Government, a copy of an Order of His Excellency the Governor General in Council in relation to the said Minute.

I have, &c.,

JOSEPH HOWE.

Major-General Sir HASTINGS DOYLE, K.C.M.G.,  
Lieutenant-Governor, Halifax, Nova Scotia.

SECOND SUPPLEMENTARY RETURN.—[*Laid before the House 11th March.*]

GOVERNOR GENERAL'S OFFICE, OTTAWA, 10th March, 1870.

SIR,—With reference to my letter of the 4th instant, transmitting copies of correspondence respecting the new financial arrangements with the Province of Nova Scotia, in answer to an Address of the House of Commons, dated 23rd February, I am directed by the Governor General to enclose to you a copy of a further despatch on the same subject, which has been received from the Secretary of the State for the Colonies since the return was made.

I have the honor to be, Sir, your most obedient and humble servant,

F. TURVILLE, *Governor's Secretary.*

Hon. the Secretary of State for Canada, &c.,

*Earl Granville to Sir J. Young.*

DOWNING STREET, 19th February, 1870.

SIR,—I have the honor to acknowledge the receipt of your despatch, No. 6, of the 11th January, forwarding an Address to the Queen from the Legislative Assembly of the Province of Ontario, praying that Her Majesty would be graciously pleased to cause a measure to be submitted to the Imperial Parliament for the purpose of removing all color for the assumption, by the Parliament of Canada, of the power to disturb the financial relations established by the British North America Act (1867), as between Canada and the several Provinces.

You will be so good as to inform the Assembly that their Address has been laid before Her Majesty, who has been pleased to receive the same very graciously.

The British North America Act (1867) embodied the terms of Confederation agreed upon through their representatives by the different Provinces in the Union, and Her Majesty's Government would not feel justified in proposing to the Imperial Parliament to deprive the Parliament of Canada of any power which that Act has assigned to them.

I have been advised by the law officers of the Crown that under that statute the Canadian Parliament had authority to pass the Act respecting Nova Scotia, which was referred to during the debate in the Legislative Assembly of Ontario.

Under these circumstances, you will inform the Assembly that I have been unable to advise Her Majesty to accede to the prayer of their Address.

I have, &c.,

GRANVILLE.

Governor General, the Right Honorable  
Sir JOHN YOUNG, Bart., G.C.B., G.C.M.G.

## SUBSIDY.

*REPORT of Committee of Privy Council of Canada, relative to payment of increased Subsidy.*

OTTAWA, 3rd September, 1869.

SIR,—I have the honor to transmit herewith, for the information of the Government of Nova Scotia, a copy of an Order in Council, received yesterday, on the subject of the additional subsidy payable to that Province.

I have, &amp;c.,

E. A. MEREDITH, *Under Secretary of State.*

Major-General Sir HASTINGS DOYLE, K.C.M.G., &amp;c., &amp;c., &amp;c

*COPY of a Report of a Committee of the Honorable the Privy Council, approved by His Excellency the Governor General in Council on the 17th August, 1869.*

On a memorandum, dated 2nd August, 1869, from the Hon. the Minister of Finance, reporting that under the Act of last Session an additional subsidy of \$82,698 was authorized to be paid to the Province of Nova Scotia, half yearly, in advance from the 1st day of July, 1867, the arrears for the two years ending 1st July last to be dealt with as therein specified. He now recommends that he be authorized to pay such additional sum from 1st of July, 1869, leaving the question of arrears for future consideration.

The Committee advise that the required authority be granted.

Certified,

WM. H. LEE, *Clerk Privy Council.*

**RESOLUTION** declaring Railway Extension east and west to be the duty of the Dominion Government—moved 53; debated 54; agreed to on division 56.

The Hon. the Provincial Secretary moved that the House do come to the following resolution:—

Whereas, the policy adopted by the Legislature in 1854, and subsequently followed to the close of 1866, of constructing railways, with capital borrowed on the credit of the country, and by subsidies from the public chest, resulted in connecting the capital of the Province with the waters of the Gulf of St. Lawrence at Pictou, and the Bay of Fundy at Annapolis;

And whereas, it was the policy of the Legislature and the Government, during all that period to continue a system, attended with such marked benefits to the trade and people of Nova Scotia, by extending our railways east and west as rapidly as the state of the public revenues would warrant;

And whereas, the further extension of our railways, as provincial works, and by subsidies from the public treasury, was arrested when the right to raise and appropriate revenues from Customs and Excise was taken from the Government and Legislature of this Province and transferred to the Government of the Dominion by the Act confederating the Provinces of Canada, Nova Scotia and New Brunswick;

And whereas, an effort is now being made to extend the railway from Annapolis to Digby and Yarmouth, which is received with great favor by the representatives of the people;

Resolved,—As the opinion of this House, that it is the duty of the Dominion Government, which has entered into possession of the railways formerly owned by this Province, as well as the enjoyment of revenues derived from the taxation of our people, to aid in the extension of said railway from Annapolis to Digby and Yarmouth, and also from New Glasgow eastward towards Cape Breton.

Which resolution being seconded and put, and a debate arising thereon,

After some time spent in such debate,

Ordered, That the debate be adjourned until to-morrow.



On motion of the Hon. the Provincial Secretary

The House resumed the adjourned debate on the resolution moved yesterday, with reference to railway extension, and after some time spent in such debate, the question being propounded from the Chair that such resolution be agreed to, and the House dividing, there appeared for the resolution twenty-nine; against it three.

So it passed in the affirmative.

DIGBY PIER.

*Despatches relative to the cost, &c., of reconstructing the Pier at Digby.*

OTTAWA, 5th June, 1867:

SIR,—I have the honor, by command of His Excellency the Governor General, to transmit to you herewith a copy of a letter from the Secretary of the Department of Public Works, requesting certain information with reference to the pier now in course of construction at Digby.

May I request that you will cause the information asked for to be procured and transmitted to this Department at your earliest convenience.

I have, &c., &c.,

E. A. MEREDITH, *Under Secretary of State.*

The Honorable the Provincial Secretary, Halifax.

OTTAWA, 4th June, 1868.

SIR,—I have the honor to inform you that the sum of \$3,000.00 was appropriated by the Legislature of Canada as an aid towards the construction of a pier at Digby, Nova Scotia.

The Minister has been informed that the Local Government has commenced the pier in question, and that the works are now in progress.

The Minister requests that you will be pleased to communicate with the Government of Nova Scotia, and ascertain, for the information of this Department, the nature of the works undertaken for the construction of a pier at Digby, the amount voted by the Government of Nova Scotia for that purpose, the probable cost of the proposed works, and how the \$3,000.00 appropriated in aid of them by the General Government can be best applied to the object for which it was granted.

I have, &c.,

F. BRAUN, *Secretary.*

The Honorable the Secretary of State, &c., &c., &c.

PROVINCIAL SECRETARY'S OFFICE, HALIFAX, 9th June, 1868.

SIR,—I have to acknowledge the receipt of a communication from the Under Secretary of State, of the 5th instant, accompanied by a copy of a letter from the Secretary of the Department of Public Works, requesting information in reference to the pier now in course of reconstruction at Digby; in reply to which, I have the honor to inform you that the pier was first built four or five years ago, at the expense of the Province, expressly for the accommodation of the steamers carrying the mails and passengers between this Province and St. John, New Brunswick. Said pier, not having been very substantially constructed, was destroyed by the gales of the winters of 1866-67. The Legislature last year voted the sum of \$1,200.00 for temporary repairs, but it was ascertained that at least \$12,000.00 would be required to rebuild and complete the work; and, as it was necessary to the interests of the trade between the Provinces and for the convenience of the public that the pier should be rebuilt, the Government of the Province determined to advance the means requisite for the purpose, expecting that, as the work is a national benefit, the Government of the Dominion would reimburse the Government of Nova Scotia for the outlay.

The amount expended on the pier last year is \$2,800.00, and this year \$3,014.45, making a total of \$5,814.45. The work is still progressing, under the superintendence of three commissioners appointed by the Government, who are under heavy bonds for the faithful performance of the duty imposed upon them.

The amount (\$3,000), and any further sums appropriated by the General Government can be best applied, as required for weekly expenditure on the work, through this Department.

I have, &c., &c.,

W. B. VAIL.

The Honorable H. L. LANGEVIN, C.B., Secretary of State, Ottawa.

OTTAWA, 28th July, 1868.

SIR,—With reference to the letter to you from this Department, of the 5th ultimo, and to your reply thereto, of the 9th of that month, I have the honor, by command of His Excellency the Governor General, to transmit to you herewith a copy of a communication from the Secretary of the Department of Public Works on the subject of the sum of \$3,000, appropriated by the Legislature of Canada at its last Session, in aid of the construction of the pier at Digby harbor.

I am to add that the necessary instructions have been given to the paymaster of the Dominion, at Halifax, for the payment of the above mentioned sum to the Government of Nova Scotia.

I have, &c., &c.,

G. POWELL, *Under Secretary of State.*

The Honorable the Provincial Secretary, Halifax.

DEPARTMENT OF PUBLIC WORKS, OTTAWA, 25th July, 1868.

SIR,—I beg to request that the Hon. Provincial Secretary of Nova Scotia may be informed that the sum of \$3,000, appropriated by the Legislature of Canada at its last Session as an aid towards the reconstruction of a pier at Digby, is placed at the disposal of the Government of Nova Scotia, to be applied on the work in accordance with an Order in Council passed on the 22nd instant.

I have, &c.,

F. BRAUN, *Secretary.*

E. A. MEREDITH, Esq., Under Secretary of State for the Provinces, Ottawa.

PROVINCIAL SECRETARY'S OFFICE, HALIFAX, 21st January, 1869.

SIR,—I have the honor, by command, to forward to you an account of expenditure for re-constructing the pier at Digby, Nova Scotia, and I am instructed to suggest that as the said pier is necessary to the interests of trade between the Provinces, and therefore an intercolonial requirement, the general Government should make provision for the payment of the amount advanced by the Government of this Province. I am requested also to refer you to a letter of explanation, dated 9th June, 1868, forwarded to you from this Department.

I have, &c., &c.,

H. CROSSKILL, *Deputy Secretary.*

Hon. H. L. LANGEVIN, C.B., Secretary of State, Ottawa.

(Copy.)

OTTAWA, 29th January, 1869.

SIR,—I have the honor to acknowledge the receipt of your letter of the 21st instant, covering a statement of the expenditure incurred by the Province of Nova Scotia, on the reconstruction of the pier at Digby, Nova Scotia, and submitting that, as the said pier is necessary to the interests of trade between the Provinces, the Government of Nova Scotia should be reimbursed the amount so advanced by them in its construction.

Your letter, and your former communication of the 9th June, 1868, will be brought under the notice of His Excellency the Administrator of the Government by the Minister of Public Works.

I have, &c.,

E. A. MEREDITH, *Under Secretary of State.*

H. CROSSKILL, Esq., Deputy Provincial Secretary, Halifax, Nova Scotia.



DIGBY PIER.

OTTAWA, 21st September, 1869.

SIR,—Referring to Mr. Deputy Secretary Crosskill's letter of the 27th July last, respecting the expenditure on the pier at Digby, N.S., I have the honor to transmit to you herewith copy of an Order of His Excellency the Governor General in Council, which has been this day communicated to me by the Minister of Public Works, for the information of the Government of the Province of Nova Scotia.

I have, &amp;c.,

E. A. MEREDITH, *Under Secretary of State.*

Hon. the Provincial Secretary, Halifax.

*Copy of a Report of a Committee of the Honorable the Privy Council, approved by His Excellency the Governor General in Council on the 17th August, 1869.*

On a memorandum, dated 31st July, 1869, from the Hon. the Minister of Public Works, representing that some five or six years ago a pier was built at Digby, N. S., at the expense of the Province of Nova Scotia, for the accommodation of mails and passengers between that Province and New Brunswick.

That owing to the light construction of this pier it was destroyed during the gales of the winter of 1866 and 1867.

That since that period, up to the month of June, 1868, the Provincial Government had expended the sum of \$5,814.45 in the construction of the pier, the works being then still in progress.

That it was estimated that at least \$12,000 would be required to complete the pier.

That the sum of \$3,000 was appropriated by the General Government at its Session of last year, as an aid towards the reconstruction of the pier, and that the said sum has been placed at the disposal of the Government of Nova Scotia.

That an application has been made by the Secretary of the Province to the effect that, as the pier in question is necessary to the interest of trade between the Provinces, and therefore an intercolonial requirement, the General Government should make provision for the payment of the amount advanced by the Province towards the rebuilding of the pier.

That in reference to this application, the Minister of Public Works wishes to state that the pier referred to has not been considered by his Department as a public work under its management and control, and that no estimate of the cost of its reconstruction and no contract for the work have been made by his Department or have come to its knowledge.

That on the representation of Mr. Savary, member of Parliament for the county of Digby, that the pier was of general as well as local utility, the Minister of Public Works recommended, in 1868, that aid be granted to the Local Government (which was then carrying on the work of reconstruction) to the extent of \$3,000.

That this sum was granted by Parliament as an aid to the Local Government, and not as an appropriation to be expended, directly, by the Department.

That in the opinion of the Minister of Public Works there is no liability resting on the Dominion Government to reimburse the Government of Nova Scotia for its expenditure on Digby pier since Confederation,—1st. Because the outlay was made without the authority of the Canadian Government. 2nd. Because the work is, by the Act of the Nova Scotia Government itself, admitted to be within its jurisdiction, and of local as well as of general interest. 3rd. Because the Dominion Parliament, by its vote in aid, has negatived the assumption that this work is one of those which is under the exclusive control of the Dominion Government.

The Minister submits, lastly, that the practice of reimbursing local authorities for whatever sums they may choose to expend on public works, without plans or estimates, or contracts properly entered into, under the direction of competent engineers, &c., would lead to great abuse, and deprive Parliament of its constitutional

right to authorize the expenditure of public money before and not after it has been expended.

The Committee concur in the above report, and submit the same for Your Excellency's approval.

Certified,

WM. H. LEE, *Clerk Privy Council.*

Hon. the Minister of Public Works, &c., &c.

GOVERNMENT HOUSE, HALIFAX, 19th October, 1869.

SIR,—I have the honor to forward herewith a copy of the Minute of my Executive Council, dated 15th October, 1869, relative to the pier at Digby, in this Province, on which subject a communication embodying the views of the Dominion Government was, I am given to understand, made by the Under Secretary of State to the Provincial Secretary on the 21st September last.

I have, &c.,

*COPY of a Minute of Council passed on the 15th day of October, 1869.*

The Council have had under consideration the report of a Committee of the Privy Council of Canada respecting the claim made by the Government of Nova Scotia to be reimbursed for money expended in re-building the public pier at Digby, and beg to make the following observations:—

That this pier was constructed in 1862 with funds exclusively from the provincial treasury, and was nearly destroyed by the gales of the winter of 1866 and 1867.

That in the Session of 1867 the Legislature voted \$1,200 for repairs, and as this sum was proved quite adequate, Mr. McNab, the then Provincial Engineer, was directed by the Government to prepare and furnish the necessary plans and specification, when it was ascertained that at least \$12,000 would be required.

The work was accordingly commenced under the supervision of two commissioners appointed by the Government, who expended over \$2,000 in the summer of 1867, and prior to the formation of the present Government.

That in October, 1867, the commissioners reported to the Government that a further sum would be required to ballast and secure the work against the winter storms, and an additional amount was authorized to be expended, with that object in view, making the whole sum disbursed in that year \$3,014;

That the Dominion Parliament, in the first Session of 1868, voted \$3,000, which was considered by the Government of Nova Scotia as intended to reimburse them for the money advanced by them in 1867.

The Secretary of the Province states that in the summer of 1868, he explained fully to the Minister of Public Works the nature of this pier, what progress had been made in the work, and that it was being done under the superintendence of commissioners appointed by the Government.

That the Minister of Public Works admitted it to be a public pier within the meaning of section 108 of the Dominion Act, and recommended that the work be carried to completion under the same commissioners, and the accounts forwarded to the Dominion Government.

In reference to the closing paragraph of the Minute of Council, it will be observed that the remarks therein contained do not in any manner affect the subject under consideration, as the money expended on the pier was laid out by commissioners, duly appointed, after plans and specification had been previously made, and the Council beg leave to state that although some of the piers in this Province have been erected at the expense of private individuals, and others by private subscription and public money combined, the Digby pier was built exclusively for the Government, and altogether with public funds, and is entirely the property of the public. It is therefore unquestionably the property of Canada, under the provisions of section 108 of the Imperial statute, and the third schedule therein referred to; and, if kept in repair, must be sustained by advances from the Dominion treasury.



## WINDSOR AND ANNAPOLIS RAILWAY,

OTTAWA, 8th February, 1870.

SIR,—Adverting to my letter of the 3rd instant, I have the honor to transmit to you herewith, for the information of your Government, a copy of a communication from the Department of Public Works, with reference to the application of the Provincial Secretary, under date the 20th ultimo, for the payment of the sum of £2,699 5s. sterling, on account of the Windsor and Annapolis Railway.

I have, &amp;c.,

JOSEPH HOWE, *Secretary of State for the Provinces.*

Major-General Sir HASTINGS DOYLE, K.C.M.G.

RAILWAY BRANCH, OTTAWA, 5th February, 1870.

SIR,—I am directed by the Hon. the Minister of Public Works to return herewith, duly examined and approved, certificate No. 28, for work done and material furnished on the line of the Windsor and Annapolis Railway, up to the 15th December, 1869, together with an application of the Provincial Secretary of Nova Scotia for the balance of subsidy to that railway, £2,699 5s. sterling.

Previous payments.....	£185,900	15	0
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Present certificate.....	2,609	5	0
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Full amount of subsidy.....	£188,600	0	0
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It is proper to remark that the statement of the Auditor, which accompanies the Hon. the Secretary of State's letter of the 31st ultimo, shows that previous payments amount to £185,900 19s. 2d.

I have, &amp;c.,

F. BRAUN, *Secretary.*

E. A. MEREDITH, Esq., Under Secretary of State for the Provinces.

OTTAWA, 29th March, 1870.

SIR,—I have the honor to transmit herewith a copy of a letter from the Auditor-General, covering certain correspondence between the Finance Department and the contractors of the Windsor and Annapolis Railway, and am to request you to bring the matter under the notice of your advisers, and to communicate to me (for the information of the Minister of Finance) the arrangement your Government may come to in the matter.

I have, &amp;c.,

JOSEPH HOWE, *Secretary of State for the Provinces.*

Lieut.-General Sir HASTINGS DOYLE, K.C.M.G., &amp;c., &amp;c., &amp;c.

AUDIT OFFICE, OTTAWA, 25th March, 1870.

SIR,—I enclose certain correspondence with respect to the method of paying the contractors of the Windsor and Annapolis Railway. It is desirable that I should briefly describe the circumstances of the case.

The original contract provided that the contractor should be paid in bonds, in London. As Mr. Rose did not wish to be bound to issue bonds, he proposed to pay at Halifax, in cash—but as the Nova Scotia bonds were, at the time, at discount in the market, he proposed to take off 3 per cent. from each payment in the meantime, and to put some bonds on the market, so as to ascertain what the proper rate should be. This arrangement was assented to by Mr. Grant, on behalf of the contractors, and a record was made of it in my letter of 15th May, 1868, of which a copy is enclosed, A.

We did not, however, put any bonds in the market at that time, but we applied to the financial agents in London to state the price of such bonds. A copy of their letter is enclosed, B.

Upon receiving their reply, I instructed Mr. Tims, who was then in Nova Scotia, to see the agent of the contractors and get this matter settled. I enclose copy of an extract of my letter to him upon this subject, C.

Nothing further was done in this matter for a long time, and we continued to pay them, deducting 3 per cent. Finally, I submitted the matter to Sir Francis Hincks, and, by his instructions, wrote the letter D, offering to pay for the future the full amount, without discount, and I paid up the whole amount previously deducted.

The contractors now claim a much larger amount, in the enclosed letter, E.

We are acting in this matter for the Province of Nova Scotia, against whose debt everything paid on account of the Windsor and Annapolis Railway is charged, and we endeavored to make the best bargain for them that we could. They are the parties principally interested, and I think that this claim of the contractors should be submitted to them, and settled by them upon the spot. We will carry out any arrangement which the Local Government may come to in the matter. Be good enough, therefore, to bring the subject before them.

I have, &c.,

JOHN LANGTON, Auditor.

E. A. MEREDITH, Esq., Under Secretary of State for the Provinces.

(Copy).—A. AUDIT OFFICE, OTTAWA, 15th May, 1868.

SIR,—Your letter of the 1st May, setting forth the terms in which it is proposed that the payments on account of the Windsor and Annapolis Railway shall be made for the future has been submitted to the Minister of Finance, and I am authorized by him to assent to the arrangement, which may be stated as follows:—

We will, as soon as possible, put a certain amount of our securities into the market, equivalent to 6 per cent. bonds at par, to the amount of the unpaid balance of the subvention, and we will pay you at the average rate which may be obtained for them over and above commission, brokerage, &c. In the meantime, we will pay your monthly estimates at Halifax, making a deduction of 3 per cent. to cover the estimated charges. As soon as the amount realized from the bonds has been ascertained we will rectify this drawback of 3 per cent., charging or allowing you the difference between 3 per cent. and the actual loss on the bonds, and thereafter we will make a deduction equal to the real cost of realizing the bonds.

Your obedient servant,

JOHN LANGTON, Auditor.

C. H. GRANT, Esq., Engineer and Attorney for Punchard, Barry & Clark.

P. S.—It is understood that the Avon bridge is payable in cash without deduction. J. L.

(Copy).—B. LONDON, 3rd June, 1869.

SIR,—In reply to your letter of 18th May, we have now the honor to supply your Government with the information it requires in the shape of *pro forma* account sales of £188,600 Nova Scotia 6 per cent. bonds, and £188,600 Canada 6 per cent. bonds, which, for your convenience, we have certified to be correct.

We have the honor to remain, Sir, your

most obedient servants,  
BARING BROS. & CO.,  
GLYN, MILLS, CURRIE & CO.

The Honorable JOHN ROSE, Minister of Finance, &c, &c., Ottawa, Canada.

*Pro forma Account Sales.*

£188,600 Nova Scotia 6 per cent. bonds, 20 years to run, dividend from January, 1868, at 101 per cent.	£190,486 0
Stamps, &c., bonds.....	£ 235 15
Commission, 1 per cent.....	1,886 0
Brokerage, $\frac{1}{4}$ per cent.....	471 10
	<hr/> 2,593 5

Net amount, 1st May, 1868..... £187,892 15



£188,600 Canada 6 per cent. bonds, 20 years to run, dividend from 1st January, 1863, 103½ per cent....	£195,201 0
Stamps to bonds.....	£ 235 15
Commission, 1 per cent.....	1,886 0
Brokerage, ¼ per cent.....	471 10
	<hr/> 2,593 5

Net amount, 1st May, 1868..... £192,607 15

BARING BROS. & CO.,  
GLYN, MILLS, CURRIE & CO.

E. E. LONDON, 3rd June, 1869.

(Copy.)—C.

AUDIT OFFICE, OTTAWA, 22nd July, 1869.

*Extract from letter to Mr. Tims.*

We have also received from Messrs. Barings a *pro forma* statement of comparative prices of Canada and Nova Scotia debentures, showing the latter to produce, at May, 1868:—

£188,600 Nova Scotia 6 per cent. bonds, 20 years to run dividend from 1st January, at 101 per cent.....	£190,486 0
Stamps.....	£235 15
Commission, 1 per cent.....	1,886 0
Brokerage, ¼ per cent.....	471 10
	<hr/> 2,593 5
	<hr/> £187,892 15

As the money, or rather the debentures, was not payable 1st May, with four months' interest accrued, but was payable at various dates as the work progressed, I think the statement must be rectified by taking off the accrued interest. The average proceeds of 6 per cent. Nova Scotia debentures for the whole sum would thus be £184,120 15s., or a discount of 2⅔ per cent. Upon these terms I am prepared to settle with the contractors. We have deducted from them 3 per cent., and should have to repay ⅔ per cent., and on the remainder of their contract we would only deduct the smaller sum. Please put yourself in communication with them upon the subject.

(Copy.)—D.

AUDIT OFFICE, 26th January, 1870

SIR,—The Department of Public Works is about reporting upon the final certificate for the Windsor and Annapolis railroad, and it is desirable that we should, at the same time, close the suspense account which we have had with you on account of the payment of your certificates in cash instead of in bonds. I have consulted the Minister of Finance upon the subject, and he is of opinion that, though at the time Mr. Rose made the arrangement, Nova Scotia debentures may not have been equivalent to par, taking commission, &c., into account, yet if the Dominion, for its own convenience, pays in cash instead of in bonds, no deduction should be made from your certificates. I have, therefore, instructed the paymaster to pay to you \$18,182.26, being the amount deducted from your certificates from No. 10 to No. 26, both inclusive.

I have the honor to be, your obedient servant,

JOHN LANGTON, Auditor.

M. CURRY, Esq., Windsor and Annapolis Railway, Windsor.

WINDSOR, 24th February, 1870.

SIR,—I have the honor to acknowledge receipt of your favor of 26th January last, wherein you state that the Minister of Finance had considered that we should be paid at par value of bonds.

In reply, I would beg to say that if it had been mutually arranged to do so at first, and each party running the risk of the value of the bonds in the market, this would be fair enough, but I respectfully submit that the proposed mode of settlement is not doing justice to us. It was evidently intended to pay us at the actual value of bonds in the market, if the price during the last two years had ruled low, and for that purpose you all along kept 3 per cent. back to cover the risk.

You promised to send us the reply of Messrs. Baring to the letter which the Hon. the Minister of Finance addressed some time ago to them, asking for the prices that the bonds would have realized if placed on the market, but you, for some reason, have not done so.

Enclosed I beg to hand you statement of how the account stands between us, according to our ideas. The prices of bonds have been furnished week by week. I take the price from the list a month after the Government engineer's certificate is given, as by our agreement with the Government our certificates have to be paid in bonds 14 days after the said certificate is given, and I assume it would occupy another fortnight to place the bonds in the London market. By the statement as to bonds, you will perceive the Government owe us £2,841 7s. 1½d., sterling.

I also make out statement showing interest due on delay in settling certificates over the 14 days provided for in the agreement.

On this account the Government owe for time work....	£420	5	4
do do for bridge at Windsor....	100	10	9

making—

On bond suspense account and interest.....	£2841	7	1½
Interest on delay line works payment.....	420	5	5
do do Avon bridge.....	100	10	9

Sterling, £3,362 3 2½

Against this, the Government have a claim against us for:

Purchase 2 old engines, and interest to 31st January last.....	\$8,142	22
Materials for points and crossings and interest on do....	206	97
Balance freight account do .....	193	94

\$8483 13

Equal to.....	£1,696	12	6
Leaving due to Punchard, Clark & Co.....	Sterling £1,665	10	8½

On examining this account you will see it is only a fair and equitable one.

The prices of bonds are taken in my account at the lowest ruling prices of the London Stock Exchange, after 1½ per cent. is deducted for commission and brokerage.

Will you kindly give instructions to remit the balance due us at an early date, as we want to wind up the account, and oblige, Sir, your very obedient servant,

PUNCHARD, CLARK & CO.

Per M. CURRY.

JOHN LANGTON, Esq., Dominion Auditor, Ottawa.

PROVINCIAL BUILDING.

CORRESPONDENCE between the Governments of the Dominion and Nova Scotia, in reference to the new Provincial Building in Halifax.

OTTAWA, 24th April, 1868.

SIR,—I have the honor, by command of His Excellency the Governor General, to transmit to you herewith a copy of a letter from the Secretary of the Department of Public Works, and to request that you will have the goodness to procure and forward to this Department, at your convenience, the information therein asked for respecting the new provincial building at Halifax.

I have &c., &c.,

HECTOR LANGEVIN, *Secretary of State.*

Hon. the Provincial Secretary, Halifax.



## DEPARTMENT OF PUBLIC WORKS, 22nd April, 1868.

SIR,—The Hon. the Minister of Public Works instructs me to direct your attention to the British North America Act, 31 Vic., chap. 12, 1867, the first placing the public buildings of the several Provinces under the Dominion Government, and the second placing the Dominion buildings in charge of this Department; and to request that you will write to the Government of Nova Scotia, and ascertain when the commissioners under whose care the new provincial building at Halifax was erected will be prepared to hand over the said building to this Department:

I have, &c., &c.,

F. BRAUN, *Secretary.*

Hon. Secretary of State, &c., &c.

## PROVINCIAL SECRETARY'S OFFICE, HALIFAX, 8th May, 1868.

SIR,—I have the honor to acknowledge the receipt of your communication, No. 329, dated 24th April, transmitting a copy of a letter from the Department of Public Works asking, for information relative to the new provincial building, and I have it in command to forward to you a Minute of Council made at Halifax on the 27th February last:—

“It is recommended that the new provincial building (now about completed) be held by the Government, and remain vacant, pending the settlement of the question of Confederation.”

When the Act for the union of Canada, Nova Scotia and New Brunswick passed in the Imperial Legislature, this building, which was then in process of erection, and by no means far advanced towards completion, was not, in the opinion of the Government of Nova Scotia, a public building, within the meaning of section 108 of that Act and the schedule therein referred to.

Such being the construction put upon the Act, it is not the intention of the Government of Nova Scotia to part with the possession of the building.

I have, &c., &c.,

W. B. VAIL, *Provincial Secretary.*

Hon. the Secretary of State, Ottawa.

*Telegram.*

HALIFAX, 21st March, 1870.

Sir JOHN A. MACDONALD, Ottawa:

Will your Government submit dispute in connection with new provincial building to arbitration.

W. B. VAIL.

*Telegram.*

Hon W. B. VAIL, Halifax:

OTTAWA, 24th March, 1870.

Government have no power, by law, to submit questions to arbitration.

J. A. MACDONALD.

*Telegram.*

Sir J. A. MACDONALD, Ottawa:

HALIFAX, 25th March, 1870.

Will your Government pay amount expended on new provincial building subsequent to July, 1867?

W. B. VAIL.

Answer by telegraph.

GOVERNMENT HOUSE, HALIFAX, 28th July, 1870.

SIR,—I have the honor to enclose a Minute of my Executive Council, dated the 7th instant, in reference to the claims of this Province on the Dominion Govern-

ment for expenditure on the new provincial building subsequent to the 1st day of July, 1867.

I have, &c., &c.,

EDWARD KENNY.

Hon. the Secretary of State for the Provinces.

*COPY of a Minute of Council passed at Halifax the 27th day of July, 1870.*

The Council have had under consideration a letter under date of 1st July, 1870, from Mr. Langton, Dominion Auditor, to the Hon. the Provincial Secretary, transmitting a statement of subsidy account in which a charge of \$30,000 is made against the Province of Nova Scotia, as interest for three years, from 1st July, 1867, to 1st July, 1870, on the alleged cost of the new provincial building, upon which charge they beg to make the following observations:—

1st. The new provincial building was contracted for November, in 1863, through commissioners appointed by the then Government of Nova Scotia, and was intended to accommodate Departments, the control of which, by the British North America Act, is now divided between the General and Local Governments.

2nd. That at the time the Confederation scheme was agreed to, in October, 1864, only about \$7,300 had been expended on that building, and had the work been suspended at that date the Dominion Government must necessarily have completed the building out of Dominion moneys. The Provincial Government, however, allowed the work to proceed, assuming, as we are informed, that if an Imperial Act passed confederating the British North American Colonies the Province of Nova Scotia would be reimbursed for the outlay.

3rd. On the 1st July, 1867, when the Confederation Act became law, the commissioners had expended \$83,111 on the building, which, with the cost of land, swelled the whole expenditure to \$122,695. The work was continued after that period by the commissioners, until April, 1868, when the building was completed, an additional expenditure of \$66,385 incurred, which was paid by the Local Government from funds received for provincial subsidy—making the total cost of the building, including the site, \$189,080.64.

4th. The only correspondence that has taken place between the Dominion and Local Governments on the subject of this building was a despatch from the Secretary of State for the Provinces, transmitting a copy of a letter from Mr. F. Braun, Secretary of the Department of Public Works, under date 28th April, 1868, asking "when the Provincial Government would be prepared to hand over the said building to that department." To which the Provincial Secretary replied, on the 8th May, 1868, and forwarded a copy of the following Minute of Council, passed the 28th February, 1868:—

"It is recommended that the new provincial building, now about completed, be held by the Government, and remain vacant pending the settlement of the question of Confederation;" and further stating that, in the opinion of the Council, it was not a building within the meaning of section 108 of the British North America Act.

5th. The Council are aware that the question of the new provincial building was discussed by Messrs. Howe and McLelan and Sir John Rose, in January, 1869. In the letter of Messrs. Howe and McLelan, under date 20th January, 1869, those gentlemen remark:—

"If it be assumed that under the Act, that portion of the property created by being contracted for just prior to the conference, although the expenditure was subsequently made, prior to the adjustment of the debts and assets, reverted to the Dominion, then we would urge that Nova Scotia is entitled to claim whatever sum was paid subsequent to that adjustment."

In reply to which Sir John Rose, under date of 24th January, 1869, states, "that its cost goes to make up the total debt of Nova Scotia; but it is nevertheless Dominion property, as much as the railways, portions of which have been constructed, in the same interval—and it therefore stands on the same footing—except



perhaps as to any outlay since July, 1867, which may form the subject of equitable adjustment."

6th. On the 25th May, 1869, the Legislative Council adopted, without a division, the report of the committee to whom was referred the correspondence relating to the new provincial building:

"And therefore, this committee are of opinion the building is not included in, and ought not to be subject to the 108th section of the Act of Confederation, which assigned the public buildings of the Provinces as the property of the Dominion Government; but that the building in question is a clear asset of the Province of Nova Scotia, and should be dealt with as such in the negotiations between the two Governments." And on the 14th June, 1869, the House of Assembly unanimously adopted the following resolution:—

"Resolved, As the opinion of this House, that the new provincial building, constructed at a large expense from provincial funds, be sold to any person or persons who may be disposed to purchase the same at cost."

7th. The correspondence alluded to in the 4th section of this minute is the only correspondence that had passed between the Dominion and Local Governments up to March, 1870, and as the building, with the exception of that portion used by the Crown Land Department, was still unoccupied, very much to the detriment and inconvenience of the people of Halifax, and no progress made in the settlement of the question, as to ownership, the Provincial Secretary was instructed to forward the following telegram to Sir John A. Macdonald:—

"HALIFAX, 21st, March, 1870.

"Will your Government submit dispute in connection with new provincial building to arbitration?"

"W. B. VAIL."

To which the following answer was received:—

"OTTAWA, 24th March, 1870.

"Government have no power, by law, to submit the question to arbitration.

"JOHN A. MACDONALD."

The Government then determined, if possible, to bring the matter to a final issue, and the Provincial Secretary was directed to forward a second telegram to Sir John A. Macdonald, of which the following is a copy:—

"HALIFAX, 25th March, 1870.

"Will your Government pay amount expended on new provincial buildings subsequent to July, 1867?"

"Answer by telegraph.

"W. B. VAIL."

To which no answer has been received.

8th. The foregoing is a complete history of this building, from its commencement, in 1864, to the present time. The Council have always held, and are still of opinion, that Nova Scotia is justly entitled to receive from the Dominion Government the whole cost of this building, less the sum expended prior to the signing of the Quebec scheme; but as it was very desirable that the question should be settled, in order that the building might be used for the purposes for which it was intended, the Government concluded, in March last, to accept the view of Sir John Rose, as expressed in his letter to Messrs. Howe and McLelan, on the 20th January, 1869, more particularly as the Council have reason to believe that Mr. McLelan concurs in that opinion.

With a view to the settlement of this vexed question, the Government sent the before-mentioned telegrams, in the hope that they would lead to the transfer of the property on payment by the Dominion Government of the \$66,385, the sum paid out by the Province of Nova Scotia subsequent to the 1st July, 1867.

9th. This being the true position of the building question, the Council protest against any sum being charged the Province of Nova Scotia for interest on its cost.

Because the Dominion Government, allowing that they had good ground for this claim, which the Council by no means admit, have no right whatever to charge interest for three years, as the building was not completed until April, 1868, and if a claim could be legally preferred against the Province it could be only for interest, after completion, on the sum expended prior to 1st July, 1867, namely, \$122,695, which, in the opinion of the Council, the Dominion Government have clearly forfeited, for the reasons set forth in this Minute, and in consequence of not having made a formal demand for the building on or about the time the Union Act took effect, or subsequently accompanied with an offer to refund the Province the sum expended from the provincial treasury.

In conclusion, the Council being satisfied that there is due to this Province on account of the building the sum of \$66,385, cannot acknowledge any claim of Canada for interest, or otherwise, until the matters in difference on the subject are finally determined, and the above amount paid into the provincial treasury.

PROVINCIAL SECRETARY'S OFFICE, HALIFAX, 11th October, 1870.

SIR,—On the 27th day of July last a Minute of Council was passed, protesting against the charge made by the Dominion Government of \$30,000 for interest on the new provincial building. On the following day (the 28th) the said Minute was forwarded to His Honor the Administrator, to be transmitted to the Hon. the Secretary of State for the Provinces. Since then no reply has been received by the Government of Nova Scotia, and I am instructed to request that Your Honor will have the goodness to enquire of the Secretary of State for the Provinces if the Government of Canada have reconsidered the matter, or whether it is still their intention to retain the \$30,000 out of the amount of the subsidy justly due this Province.

I have, &c.,

W. B. VAIL, *Provincial Secretary.*

His Honor Sir HASTINGS DOYLE, K.C.M.G., Lieut.-Gov. of Nova Scotia.

OTTAWA, 11th October, 1870.

SIR,—Adverting to your despatch of the 28th July last, and the accompanying Minute of your Executive Council, on the subject of an alleged claim of the Province of Nova Scotia on the Dominion Government for expenditure on the new provincial Building, which despatch was received by the Hon. the Secretary of State for the Provinces when in Halifax, I have the honor to transmit to you herewith, for the information of your Government, a copy of an Order of His Excellency the Governor General on the subject of the said Minute.

The Government of Nova Scotia will please consider this letter and its enclosure as the "formal notice" referred to in the fourth paragraph of the Order in Council.

I have the honor to be, Sir, your most obedient servant,

E. A. MEREDITH, *Under Secretary of State for the Provinces.*

The Hon. Sir EDWARD KENNY, Administrator of the Government, Halifax.

COPY of a Report of a Committee of the Honorable the Privy Council, approved by His Excellency the Governor General in Council on the 10th October, 1870.

On a letter, dated the 28th July, 1870, from the Hon. Edward Kenny, Administrator of the Government of the Province of Nova Scotia, enclosing a Minute of his Executive Council, dated the 22nd of the same month, in reference to a claim for \$30,000 made by the Dominion Government against that Province, as interest for three years, from 1st July, 1867, to 1st July, 1870, on the cost of the new provincial building subsequently to the 1st day of July, 1867.

The Executive Council of Nova Scotia, in this said Minute, state that, being satisfied for the reasons therein given that there is due to that Province, on account of the building, the sum of \$66,385, they cannot acknowledge any claim of Canada for



interest or otherwise, until the matters in difference on this subject are finally determined and the latter amount paid into the provincial treasury.

The Hon. the Minister of Finance reports that the deduction of which the Executive Council of Nova Scotia complains was made in accordance with the 3rd section of the Act 32 and 33 Vic., cap. 2, owing to the refusal of the Government of Nova Scotia to surrender to the Dominion Government the new provincial building until the latter shall adopt the view taken by the Local Government as to the liability of the Dominion Government.

The Minister states that he is of opinion that it is inexpedient at present to discuss the merits of the claim, which, even if admissible, ought not to be enforced by the retention of the building, which has caused the greatest inconvenience to the Dominion Government. He therefore recommends that a formal notice be given to the Government of Nova Scotia, that unless the building be handed over to the Dominion Government on or before the 1st of December next it will be absolutely necessary for the Dominion Government to provide other accommodations for the Customs and Post Office Departments.

That should the building be placed in possession of the Dominion Government, it is needless for him to observe that all accounts between the Dominion Government and the Province of Nova Scotia will be adjusted with law and equity.

The Committee concur in the above report, and advise that it be approved, and its purport communicated to the Government of Nova Scotia.

Certified.

W. H. LEE, *Clerk of Privy Council.*

GOVERNMENT HOUSE, HALIFAX, 22nd October, 1870.

SIR,—In reply to your despatch, No. 476, of the 11th instant, I have the honor to transmit to you herewith a Minute of my Executive Council relating to the new provincial building in this city.

I have, &c.,  
HASTINGS DOYLE.

Hon. the Secretary of State for the Provinces.

*COPY of a Minute of Council passed at Halifax on the 22nd day of October, 1870.*

The Council have before them a copy of a report of the Privy Council, approved by His Excellency the Governor General on the 10th instant, in reply to a Minute of this Council of the 27th of July last, on the subject of \$30,000 retained by the Dominion Government from the subsidy due this Province, on a claim of interest on the cost of the provincial building, and giving notice to this Government that unless the building be handed over on or before the 1st December next it will be necessary to provide other accommodation for the Customs and Port Office Departments.

In reference to the 3rd section of chapter 2 of the 32nd and 33rd Vic., the Council deny the right of the Legislature of Canada to interfere with the public or private real estate of the people of Nova Scotia, and therefore consider the enactment under consideration unconstitutional and void, for the following reasons:—

*First*,—At the time that the British North America Act passed in the Imperial Legislature the building in question had no existence, had not been completed, and was not a public building, within the meaning of the third schedule of the said Act.

*Secondly*,—There is nothing in the Imperial statute to authorize the Legislature of Canada to legislate respecting the possession of any of the property of the people of Nova Scotia, not coming within the description of property specified in such third schedule.

*Thirdly*,—The Legislature of Canada have no power or right to demand interest from the people of Nova Scotia, except in strict accordance with the clauses of the Imperial statute, referring to the debt of the Province at the date of the Union.

*Fourthly*,—The demand for interest on the whole cost of the building, a considerable portion of which was expended by this Province after the 1st July, 1867, is an unwarranted assumption on the part of the Dominion Legislature.

The Government, acting in strict accordance with the Local Legislature, as testified by resolutions of both branches thereof, have held the possession of the building, because there was due to this Province the sum of \$66,385, expended thereon after the Union.

The building not coming within the description of the said third schedule, is the property of Nova Scotia, and the Government, had they been disposed to contend for the strict rights of this Province, might have insisted on Canada paying the whole cost of the building, and Canada had no right to demand the possession, except as a purchaser on payment of that cost.

This view of the subject, however, being disputed by Canada, and the Government being sincerely desirous of ending all controversy on the subject, and of allowing the public to enjoy the benefit of the edifice, and to accomplish the purposes for which it had been erected, offered to transfer it to Canada for \$66,385, the amount actually expended on it after the Union.

The Dominion Government having thought proper to reject this fair, just and reasonable proposal, the Council desired to have the difference settled by arbitration, and proposed a reference, which was also declined.

The Council, therefore, contend that all the inconvenience the public have sustained, in being deprived of the use of the building, and all other injurious consequences, are justly chargeable on the Dominion Government.

The Council were astonished to hear from the Provincial Secretary, on his return from Ottawa, in November, 1869, that the Dominion Government, acting on the advice of the Hon. Joseph Howe, objected to reimburse the Province for the money expended after the 1st of July, 1867; and as Mr. McLelan was a party to the arrangement of the accounts, and, as the Council had reason to believe, had the financial part of the business in charge, the Provincial Secretary addressed a letter to him on the subject, of which the following is a copy:—

HALIFAX, 17th December, 1869.

DEAR SIR,—The “Act respecting Nova Scotia,” passed last Session of the House of Commons, confirming the agreement entered into by Mr. Rose, and Mr. Howe and yourself, is somewhat obscure, in reference to the new provincial building, and I shall feel greatly obliged if you will inform me whether it was intended that Nova Scotia should be charged with interest on the whole cost of the building, or only on that paid prior to the 30th June, 1867.

I distinctly remember, in conversation with you the evening after your return from Ottawa, you stated the money we would receive from the Dominion Government for the new provincial building would more than reimburse us for expenditure on the new poor’s asylum; but as you did not state the amount, I have thought it advisable to seek information from you, before opening negotiations, with a view of getting the question in regard to the building settled.

I am, &c.,

W. B. VAIL.

HON. A. W. McLELAN.

REPLY.

LONDONDERY, 3rd January, 1870.

MY DEAR SIR,—I really regret that I hurriedly passed over the closing paragraph of yours of the 17th, in which you say you desired the information with a view to negotiate for the settlement of the new building question, or I should have put aside matters that were pressing upon my time, and replied at once.

As I understand it, the Dominion Government will pay the expenditure on the building subsequent to 1st July, 1867.

If the amount be placed to your credit on expenditure, on completion of the building, then they will charge you interest from that date upon the whole cost of the work, allowing you interest on the sum at your credit for expenditure after 1st July.



If the over-expenditure be not placed to your credit until the building is handed over, you will only be chargeable with the interest upon the expenditure previous to 1st July, 1867.

Whichever way you put it the result is the same. The expression in the Act is, I think, "interest on the cost of the new building until handed over."

Now the "over-expenditure" does not form part of the cost to the Dominion Government until that sum is placed by them at your credit.

I trust you will have no difficulty in adjusting the accounts, and making a satisfactory settlement of this question.

I am, &c.,

Hon. W. B. VAIL, Halifax.

A. W. McLelan.

The above letter from Mr. McLelan was laid before the members of the Legislature in March last, when the subject was fully discussed, and with their concurrence the Provincial Secretary forwarded the telegrams of the 21st and 25th March last to Sir John A. Macdonald, referred to in a former minute.

The Privy Council appear to have overlooked the fact that no demand had ever been made for the possession of the building, nor was there any intimation that a transfer of it was desired, after the arrangement of Messrs. Howe, Rose and McLelan, before the \$30,000 were retained in July last.

The Privy Council, therefore, had no reason to assume that this Government would refuse to make the transfer in accordance with the arrangement whenever the Dominion Government should signify their willingness to carry it out in good faith.

The Council dispute the right of the Dominion Government, upon any pretext whatever, arbitrarily to withhold money due to this Province on account of subsidy, and guaranteed by an Imperial statute, which the Local Government relied on, to meet the demands on the treasury authorized by the Legislature; and on which the estimates have been based.

If this power be conceded to the Dominion Government, the Government, Legislature and people of this Province, are completely at the mercy of the Canadian Administration, who may, at any time, upon any pretext, retain a portion, or the whole of the subsidy, to compel the Local Government to acquiesce in their views, or submit to their exactions.

When the Minister insists "that even if the claim of this Province, for the cost of the building since the 1st of July, 1867, were admissible, it ought not to be enforced by the retention of the building," the Council would with equal justice insist, that even if the interest were due, which is not admitted, it ought not to be enforced by the retention of any part of the subsidy.

The Local Government have no desire to withhold the building longer than is absolutely necessary to protect the interests of the people of Nova Scotia and secure the amount justly due to them; on the contrary, they have been most anxious, since January, 1869 (up to which time Mr. Howe was apparently in full accord with the Local Administration in regard to the claim of the Province, on account of the building), to get an equitable settlement of this dispute.

The Council are at a loss to discover any good reason why the accounts in connection with the building should not be adjusted before the 1st of December next, if the Dominion Government desire it, and they also fail to perceive why they insist on a transfer of the building, when they must be aware that the Local Government are prevented from relinquishing it by resolutions passed unanimously in both branches of the Local Legislature.

When the "report" assumes so confidently that, "should the building be placed in the possession of the Dominion Government all the accounts between the two Governments will be adjusted in accordance with law and equity," the Council are constrained to confess that they are not possessed of an equal amount of confidence, and they do not feel justified in relying implicitly on the sense of justice of an Administration that has persistently declined entering into a fair, amicable and equitable adjustment of the matter in difference between the two Governments.

In conclusion, the Council, influenced by a desire to avoid all further controversy on the subject under consideration, repeat their readiness to have the same arranged by an arbitration, by a committee of members of both Governments, or any other amicable mode of adjustment.

OTTAWA, 31st October, 1870.

SIR,—I have the honor to acknowledge the receipt of your despatch of the 22nd instant, covering a copy of a Minute of your Executive Council, passed on that day, relative to the new provincial buildings at Halifax.

I have, &c.,

JOSEPH HOWE, *Secretary of State*.

Lieutenant General Sir HASTINGS DOYLE, K.C.M.G.

OTTAWA, 23rd November, 1870.

SIR,—Adverting to your despatch of the 22nd ult., I have the honor to enclose herewith, for the information of your Government, a certified copy of an Order of His Excellency the Governor General in Council, with a copy of the memorandum therein referred to, of the Hon. the Minister of Finance, on the subject of the claims of Canada in connection with the provincial buildings at Halifax.

I have, &c., &c.,

JOSEPH HOWE, *Secretary of State for the Provinces*.

Lieut.-General Sir HASTINGS DOYLE, K.C.M.G., Lieutenant Governor.

*COPY of a Report of a Committee of the Honorable the Privy Council, approved by His Excellency the Governor General in Council on the 21st November, 1870.*

The Committee of Council have had under consideration the despatch dated 22nd October, 1870, from the Lieutenant-Governor of Nova Scotia, forwarding copy of a Minute of his Executive Council, adopted on that day as an answer to the Order of Your Excellency in Council of the 10th October last, in reference to the claim of Canada on that Province in connection with the provincial buildings at Halifax.

They have also had under consideration the annexed memorandum of the Hon. the Minister of Finance, in the Minute referred to, and they respectfully advise that a copy of that memorandum be transmitted to the Lieutenant-Governor of Nova Scotia, as containing the views of this Government on the points raised in the Minute of Council above referred to.

Certified,

WM. H. LEE, *Clerk Privy Council*.

Hon. the Secretary of State for the Provinces, &c., &c.

The undersigned has the honor to report on the Minutes of the Executive Council of Nova Scotia, passed at Halifax, on the 22nd ultimo, as follows:—

The Executive Council of Nova Scotia affirm that the enactment of the 3rd section of chapter 2 of the 32nd and 33rd Victoria is unconstitutional and void, for certain reasons which they state, and which are, in substance, that the provincial building at Halifax not having been completed at the time of the passing of the British North America Act, was not a public building within the meaning of the 3rd schedule of that Act; that the Legislature of Canada could not legislate respecting the possession of any building not specified in that schedule; that the Legislature of Canada have no power to demand interest from the people of Nova Scotia, except in strict accordance with the Imperial statute; and that the demand for interest on the whole cost of a building, a considerable portion of which was expended by the Province of Nova Scotia after the 1st July, 1867, is an unwarranted assumption on the part of the Dominion Legislature.

The undersigned is advised that the provincial building referred to was a public building within the meaning of the 3rd schedule of the British North America Act, 1867. With regard to the Canada Act, 32 and 33 Victoria, chapter 2, the undersigned has to observe that it seems inconsistent in the Executive Council of Nova Scotia to declare it unconstitutional and at the same time to claim the benefit which accrues to



Nova Scotia under it. The clause regarding the provincial building enacts, in terms which do not admit of misconstruction, that "Nova Scotia shall, from the date of the completion of the new Province building, be debited in account with Canada with interest at the rate of 5 per cent. per annum on the cost of that building, until it shall have been placed at the disposal of the Dominion."

It is stated in the Minute of the Nova Scotia Council that "the Privy Council appear to have overlooked the fact that no demand had ever been made for the possession of the building." On this the undersigned must observe that there is no necessity for making a demand for possession. The Act requires that the building shall be placed at the disposal of the Dominion, which has not been done. Reference is made in the Minute of Council to the opinions of Sir John Rose, Hon. Joseph Howe and Hon. A. W. McLelan, but the opinions of Sir John Rose and Mr. Howe were given prior to the passage of the Act 32 and 33 Victoria, chapter 2. And Mr. McLelan's letter has reference to impressions received by him at the period of the negotiations which preceded its introduction.

It is by that Act that the Finance Department must be governed, and the undersigned has only to repeat what he stated in his former report, that all accounts between the Dominion Government and the Province of Nova Scotia will be adjusted in accordance with law and equity.

He must, however, call attention to the 3rd section of the Act 32 and 33 Victoria, chapter 2, which was proposed by an opponent of the Bill, and accepted by the Government, and which is as follows:—

"The grants and provisions made by this Act and the British North America Act, 1867, shall be in full settlement of all demands on Canada by Nova Scotia."

Without entering at present on the merits of the claim advanced on the part of Nova Scotia, the undersigned may observe that no understanding arrived at by individuals prior to the introduction of the Bill of 1869 can be held to override a provision of the Act. The undersigned has only to add, that with regard to the charge for interest on the cost of the building from the date of its completion until it shall be placed at the disposal of the Dominion, it is not in his power to act otherwise than as directed by law.

F. HINCKS.

12th November, 1870.

GOVERNMENT HOUSE, HALIFAX, 13th December, 1870.

SIR,—With reference to your despatch, No. 585, of the 25th ult., and other correspondence on the same subject, I have the honor herewith to transmit to you a copy of a Minute of my Executive Council concerning the new provincial building in this city.

I have, &c., &c.,

HASTINGS DOYLE.

Hon. the Secretary of State for the Provinces.

*COPY of a Minute of Council passed at Halifax on the 8th day of December, 1870.*

The Council have had under consideration the memorandum of the Hon. the Minister of Finance, approved by His Excellency the Governor General in Council, on the 20th November, 1870, in reply to a Minute of this Council in reference to the payment of \$66,385, due the Province of Nova Scotia on account of the new provincial building.

The Hon. the Minister of Finance remarks with regard to the Canada Act, 32 and 33 Vic., chap. 2, "that it seems inconsistent in the Executive Council of Nova Scotia to declare it unconstitutional, and at the same time to claim the benefit which accrues under it."

The Hon. the Minister of Finance has evidently misinterpreted the Minute of this Council, of the 10th of October, as it was only the 3rd section of that Act which assumed the right of Canada to legislate in respect to the real estate (public or private) of the people of Nova Scotia, that the Council considered unconstitutional.

The Council are free to admit that the Act is very explicit in asserting the right of Canada to charge interest on the cost of the building, which could have no other meaning than interest on the cost of Canada, in other words, interest on the money paid previous to the 1st July, 1867, which sum, under the arrangement of Mr. Rose with Messrs. Howe and McLelan, may have been considered as forming part of the debt which Canada assumed.

The interest on that amount the Dominion Government might perhaps have fairly claimed if they had fulfilled the obligations resting upon them of paying over the money due Nova Scotia on the building; but the Council are at a loss to discover upon what principle of law or equity Canada could legislate into the Dominion treasury \$66,385 of the money of the people of Nova Scotia, which was paid after the 1st July, 1867, out of the treasury of Nova Scotia, and, in addition, charge interest on the amount—not one dollar of which was paid by Canada.

The Hon. the Minister of Finance states that he must call attention to the 5th section of the Act 32 and 33 Vic. chap. 2 (which was proposed by an opponent of the Bill), which was accepted by the Government, and is as follows:—

“The grants and provisions made by this Act, and the British North America Act, 1867, shall be in full settlement of all demands on Canada by Nova Scotia.”

The Council are advised that the above clause was proposed with a view to prevent Nova Scotia from claiming a further increase of subsidy at a future time, and was not intended to effect, in any manner, the settlement of accounts between the two Governments, or prevent the Dominion Government from paying over and refunding money paid out of the treasury of Nova Scotia on account of Dominion works, and further, as the Finance Minister has paid over money, previously due, to the Provincial Government, and also, if we are correctly informed, placed money, collected by the Dominion Government, to the credit of Nova Scotia, since the passage of the Act referred to.

The Council may fully assume that he has materially changed his views as to the strict interpretation of the statute.

The Hon. the Minister of Finance repeats, in the report under consideration “that on all accounts between the Dominion Government and the Province of Nova Scotia will be adjusted in accordance with law and equity.”

If such is the case the Council can perceive no reason why arbitrators should not be at once appointed to decide the matter in dispute, which, it is quite obvious, cannot otherwise be disposed of in accordance with law and equity, as the two Governments entertain entirely irreconcilable views of the requirements of justice, in relation to such matters; and the Council, anxious as they have always been to have a final settlement of the dispute, once more repeat their perfect readiness, on behalf of Nova Scotia, to have the matters in difference between the two Governments arranged by arbitrators, or by a committee composed of the respective Administrations, or by any other practicable and amicable mode of adjustment, at an early day, at such place as may be convenient to all parties concerned.

OTTAWA, 20th December, 1870.

SIR,—I have the honor to acknowledge the receipt of your despatch of the 13th inst., covering a copy of a Minute of your Executive Council, dated the 8th inst., concerning the negotiations about the new provincial building at Halifax.

I have, &c.,

JOSEPH HOWE, *Secretary of State.*

Lieutenant-General Sir HASTINGS DOYLE, K.C.M.G., &c., &c., &c.

OTTAWA, 9th January, 1871.

SIR,—Referring to your despatch of the 13th ultimo., I have the honor to enclose herein, for the information of your Executive Council, a copy of an Order of His



Excellency the Governor General in Council, together with a copy of the report therein referred to, on the subject of the provincial buildings at Halifax.

I have, &c.,

JOSEPH HOWE, *Secretary of State.*

Lieutenant-General Sir HASTINGS DOYLE, K.C.M.G., &c., &c., &c.

*COPY of a Report of a Committee of the Honorable the Privy Council, approved by His Excellency the Governor General in Council on the 7th January, 1871.*

The Committee have had under consideration the annexed report from the Sub-Committee of Council to whom was referred the Minute of the Executive Council of Nova Scotia of the 8th December last, having reference to the new provincial building in Halifax; and they respectfully submit their concurrence in that report, and advise that a copy thereof, and of the present Minute, be communicated to the Lieutenant-Governor of Nova Scotia.

Certified.

W. H. LEE. *Clerk Privy Council.*

Hon. the Secretary of State for the Provinces.

The Sub-Committee of Council, to whom was referred the Minute of the Executive Council of Nova Scotia in reference to the new provincial building, dated the 8th day of December, have the honor to report as follows:—

In 1863 the Legislature of Nova Scotia passed an Act authorizing the expenditure of a sum of money, to be raised from a new issue of provincial notes, and by a loan from the savings bank, "for the purchase of a lot of land in the city of Halifax, known as Hare's block, and the erection thereon of a building for the public uses of the Province."

It is admitted that this building was mainly intended for a Custom house and post office, the only public Departments then provided for in buildings not owned by the Government.

The contract for the erection of that building was made in November, 1863, and it is stated by the Government of Nova Scotia that it was completed in April, 1868, at a cost of \$189,080.64.

The 111th section of the Union Act provided that "Canada should be liable for the debts and liabilities of each Province existing at the Union."

The 108th section of the same Act said, "the public works and property of each Province enumerated in the third schedule of this Act shall be the property of Canada," and No. 8 in that schedule is as follows: "Custom houses, post offices, and all other public buildings, except such as the Government of Canada appropriate for the use of the Provincial Legislatures and Governments."

It is therefore obvious that under the British North America Act the legal ownership of the new provincial building was vested in the Dominion Government in the same manner as applied to the Truro and Pictou Railway, which was unfinished at the date of the Union.

In June, 1869 an Act was passed by the Parliament of Canada, providing for the payment of a large additional subsidy to Nova Scotia, but as it was a matter of public notoriety that the Local Government of that Province had declared its intention to retain possession of the new provincial building, section 3rd of that Act provided that Nova Scotia shall, from the date of the completion of the new provincial building, be debited in account with Canada with interest at the rate of 5 per cent. per annum on the cost of that building, until it shall have been placed at the disposal of the Dominion.

The Local Government, while accepting the additional subsidy payable under the Act of 1869, not having handed over the building, the interest on the cost has necessarily been deducted in compliance with the law.

The necessity for a suitable Custom house and post office at Halifax is very pressing, but the Sub-Committee would suggest that, as the people of Nova Scotia will, by efflux of time, very soon have an opportunity of expressing their opinion on

this question, it would, in deference to their interests, be advisable to postpone a few months longer making independent provision for those services, the effect of which would be to make permanent the large annual loss which the present Local Government of that Province have inflicted upon Nova Scotia by refusing to comply with the law.

All of which is respectfully submitted.

F. HINCKS, M.F., *Chairman.*

Recommended, F. HINCKS, M.F.

GOVERNMENT HOUSE, HALIFAX, 24th January, 1871.

SIR,—I have the honor to acknowledge the receipt of your despatch, No. 11, of the 9th instant, and in reply thereto to forward a copy of a Minute of my Executive Council, passed on the 18th instant.

I have, &c.,

HASTINGS DOYLE.

Hon. the Secretary of State for the Provinces.

*Copy of a Minute of Council passed on the 18th of January, 1871.*

The Council, in reply to a report of a Sub-Committee of the Privy Council, in reference to the new provincial building, approved by a Committee of the Privy Council on the 7th instant, submit the following remarks:—

1st. The Council are well aware that an Act was passed in 1863 by the then Legislature of Nova Scotia, providing, by an issue of provincial notes and borrowing through the savings bank, for the purchase of a site, and the erection thereon of a building for public purposes. The notes issued and moneys borrowed under that Act having subsequently become chargeable, with interest, to Nova Scotia in account with Canada, under the British North America Act, 1867.

2nd. Was it necessary to remind the Council that the new provincial building was mainly intended for a Custom house and post office, to which, however, the committee might have added that the Legislature also contemplated providing accommodation, within its walls, for the Provincial Railway Department, the Crown Land Department, and the Provincial Museum.

3rd. That "Canada," under the 111th section of the British North America Act, "should be liable for the debts and liabilities of each Province, existing at the Union," is frankly conceded; but the Council cannot admit that that clause was intended to include an unfinished structure, which was neither a Custom house, post office, nor public building of any kind, within the meaning of section 108 of the Imperial statutes, and that it occupies a widely different position from the Truro and Pictou Railway is evidenced by the fact that the latter was promptly taken possession of by the Dominion Government, on the 1st July, 1867, and no demand was made for the new provincial building until October, 1870, and after the \$66,335 of the local funds of Nova Scotia had been expended in its completion.

The acceptance of the additional subsidy by the Government and Legislature of Nova Scotia from Canada, under an Act passed in June, 1869, in the opinion of the Council does not in the slightest degree prejudice the claim of this Province for the repayment of moneys expended from the local treasury since 1st July, 1867, and further, that the said additional subsidy had no relation to the new provincial building is triumphantly borne out by the fact that the increased allowance, both as regards permanent debt and annual subsidy, was based upon the original arrangements with New Brunswick—as is made fully to appear in the correspondence in 1869 between Messrs. Rose, Howe and McLellan.

4th. The Council cheerfully leave the matter in controversy between the Dominion and Local Governments to the decision of the people of Nova Scotia, assured that they will appreciate, at its full value, the liberality of a Government which, in 1870, provided the following sums for Customs houses, post offices, &c., &c., viz.:—



Montreal, Canada Custom House.....	\$200,000
St. John, New Brunswick do.....	75,000
London, Canada do... ..	50,000
Toronto do warehouse.....	10,000
Post offices at Toronto, London and Quebec, Canada.....	155,000
<b>Total.....</b>	<b>\$490,000</b>

while they persistently refuse to pay \$66,385, about one-third the cost of the building in question, for no better reason than having the money in their hands they can arbitrarily retain it, trusting that the people of Nova Scotia will supinely abandon a just claim which the Government and Legislature of Nova Scotia have, over and over again, expressed their desire to submit to arbitration, or any other equitable mode of settlement.

5th. The Council are well aware that the people of this Province will, ere long, have an opportunity of expressing an opinion on this question, and to that tribunal they appeal with a confidence that may well be envied by bodies of much higher pretensions, who, also, by "efflux of time," and possibly at an early day, will be called upon to give an account of their stewardship; but they by no means admit the conclusion at which the sub-committee seem to have arrived, that this Province must, in the event alluded to, either forfeit the \$66,385 justly due on the building or submit to the arbitrary infliction of a "large annual loss," as the Council have not the least apprehension that the people of Nova Scotia will be reduced to either of the alternatives.

#### NEW PROVINCIAL BUILDINGS.

FINANCE DEPARTMENT, OTTAWA, 7th April, 1871.

The undersigned has the honor to bring under the notice of Your Excellency in Council that during the recent Session of Parliament, on motion of the Hon. Sir George E. Cartier, the following resolution was adopted:—

"Post office, Custom house and other public buildings, Halifax, or for the payment of such amount, not exceeding \$66,385, as may be awarded by arbitration, is justly due to the Province of Nova Scotia, in case the new Province building is made available for these purposes, \$200,000."

That the assent of Parliament having thus been obtained to the submission of the question of accounts connected with the above mentioned building to arbitration, provided it is made available as a post office and Custom house, he has the honor to recommend that a copy of the resolution so passed by the House of Commons be forwarded by Your Excellency to the Lieutenant-Governor of Nova Scotia; and that they may be informed that if the said building is handed over to the Dominion Government for the purposes specified, Your Excellency will be prepared to nominate an arbitrator to act with an arbitrator named by the Government of Nova Scotia, and that in the event of their being unable to agree, they shall have power to appoint an umpire, and that the arbitrators so chosen shall have power to settle finally all claims connected with the said building, in accordance with the terms of the resolution above alluded to, authorizing such arbitration.

F. HINCKS, *Minister of Finance.*

*Copy of a Report of a Committee of the Honorable the Privy Council, approved by His Excellency the Governor General in Council on the 18th April, 1871.*

The Committee of Council have had under consideration the annexed memorandum, dated 17th April, 1871, from the Hon. the Minister of Finance, having reference to the resolution adopted by the House of Commons during the recent Session of Parliament, on the subject of the new provincial buildings at Halifax; and they respectfully advise that a copy of the said memorandum, containing a copy of the

resolution referred to, be communicated by Your Excellency to the Lieutenant-Governor of Nova Scotia, for the consideration of the Government of that Province.

Certified.

WM. H. LEE, *Clerk Privy Council.*

Hon. the Secretary of State for the Provinces.

GOVERNMENT HOUSE, HALIFAX, 25th April, 1871.

SIR,—Immediately on the receipt of your despatch of the 18th instant, enclosing a copy of an Order of His Excellency the Governor General in Council, and a Minute of the Minister of Finance, relative to the proposed arbitration concerning the new provincial building, I caused copies thereof to be sent to the Deputy Provincial Secretary, through whom I am now informed, by the President of the Executive Council, that it will be quite impossible to consider the matter until the members of the Council, or some of them, return to Halifax.

I have the honor to be, &c.,

HASTINGS DOYLE.

Hon. the Secretary of State for the Provinces.

OTTAWA, 21st June, 1871.

SIR,—In reply to the letter of the Hon. Sir F. Hincks, addressed to His Excellency the Governor General and forwarded through your Department for the consideration of the Provincial Government, I have the honor to state that the Local Government will be prepared to appoint an arbitrator to act with an arbitrator to be named by the Dominion Government, and in the event of their not being able to agree, they shall have power to appoint an umpire, and when such arbitrators shall have been appointed and have agreed to serve, the building shall then be placed at the disposal of the Dominion Government, providing it is fully understood, before appointing arbitrators or entering upon the arbitration, that the interest withheld from the subsidy, payable to Nova Scotia under the authority of the British North America Act, is to follow the award, as was understood in the House of Commons, Sir F. Hincks acquiescing, and that the Provincial Government shall be allowed the use of the rooms now occupied by the Crown Land Department in the building and as a museum, at a mere nominal rent.

I have the honor to be, your obedient servant,

W. B. VAIL, *Provincial Secretary.*

Hon. the Secretary of State for the Provinces.

*Copy of a Minute of Council passed at Halifax, on the 10th day of July, 1871.*

The Council have had under consideration the letter of Sir Francis Hincks, addressed to the Provincial Secretary, under date of the 22nd June, and are quite prepared (as they have long desired) to have the matter in dispute in relation to the building settled by arbitration; but they cannot consent to such submission, except upon the express understanding that the money deducted, under the name of interest, from the subsidy payable to Nova Scotia, shall be paid to the Provincial Government in the event of the award being in favor of this Province.

The Hon. the Finance Minister states, in referring to the resolution, that "beyond that Act the Government have no power to go; but they are willing that the arbitrators should put the most liberal construction on the language of the statute." The Council are informed that before the vote was taken on the resolution Sir Francis Hincks stated most explicitly in Parliament that the amount withheld from the subsidy due Nova Scotia should follow the award. When this point is yielded by the Dominion Government as a preliminary to the arbitration, and they further agree to the use, by the Provincial Government, of the museum and the room now used as a draughting room by the Crown Land Department, the Provincial Government will be prepared to accede to the request of Sir Francis Hincks in his letter of the 17th of April, addressed to His Excellency the Governor General, approved in Council on



the 18th April, 1871, and appoint an arbitrator to act with one to be named by the Dominion Government, and when the umpire has been agreed upon, and the three arbitrators have consented to act and to decide within six months of the date of their appointment, the building shall then be made available for the purpose indicated in the resolution."

OTTAWA, 15th July, 1871.

SIR,—I have the honor to acknowledge the receipt of your despatch of the 11th instant, transmitting, with reference to previous correspondence on the subject, a copy of a Minute of your Executive Council, relative to the proposed alteration on the disputed right to the new provincial building.

I have, &c., &c.,

JOSEPH HOWE, *Secretary of State for the Provinces.*

Lieutenant-General Sir HASTINGS DOYLE, K.C.M.G., &c., &c.

GOVERNMENT HOUSE, HALIFAX, 11th July, 1871.

SIR,—With reference to previous correspondence on the same subject, I have the honor to transmit to you a copy of a Minute of my Executive Council, in reply to a letter addressed by the Minister of Finance to the Provincial Secretary, while that gentleman was in Ottawa, relative to the proposed arbitration on the disputed right to the new provincial building.

I have, &c.,

HASTINGS DOYLE.

Hon. the Secretary of State for the Provinces, &c.

*COPY of a Report of a Committee of the Honorable the Privy Council, approved by His Excellency the Governor General in Council on the 31st July, 1871.*

On a Minute of the Hon. the Executive Council of the Province of Nova Scotia, transmitted in the despatch of His Excellency Sir Hastings Doyle, dated the 11th inst., on claims in relation to the new Province building, submitted by the Government of Nova Scotia.

The Hon. the Minister of Finance, to whom said minute was referred, reports that it has already been clearly explained to the Government of Nova Scotia that it is not in the power of the Dominion Government to agree to pay to Nova Scotia any sum beyond that voted by Parliament.

In explaining to Mr. Vail, as he, the Minister of Finance did, in his letter of the 22nd ult., that the Dominion Government was willing that the arbitrators should put the most liberal construction into language of the statute, the object was to have the arbitrators as unfettered as possible in their deliberation on all claims in relation to the new provincial building, submitted by the Government of Nova Scotia whether covered by the Government or not.

That should the arbitrators award Nova Scotia any amount beyond the Parliamentary vote, it obviously could only be paid after the sanction of Parliament had been obtained.

That with regard to the joint occupation of the building by the two Governments, the Minister of Finance can only express his regret that the proposal made in his letter of the 22nd ult. should not be considered satisfactory.

That it seems impossible that the Dominion Government can give a right of occupation to the Nova Scotia Government to any part of the building; and as no compensation is to be given for the rooms claimed, and as no claim to those rooms were made until recently, the Minister of Finance states that he cannot but regret that such an obstacle should be interposed to the settlement of the question in controversy between the two Governments.

That he feels bound to notice the assertion in the Minute of the Executive Council of the Province of Nova Scotia, that "Sir Francis Hincks stated most explicitly in Parliament that the amount withheld from the subsidy of Nova Scotia should

follow this award." That he must express his surprise and regret that the Executive Council of Nova Scotia should have inserted such a statement, on no authority beyond "the Council are informed," when the Hon. Mr. Vail, who visited Ottawa, with a view to the settlement of the affair in controversy, was aware that he, Sir Francis Hincks, denied the accuracy of the report, which Mr. Vail informed him was founded on a telegraphic message from Mr. Jones, the member for Halifax, which message, when produced by Mr. Vail, did not bear out, in the opinion of the Minister of Finance, the construction placed upon it.

That he, the Minister of Finance, has taken pains to ascertain the opinions of the gentlemen on both sides of the House present at the discussion, which has confirmed him in his own opinions that he could not have stated what it is alleged in the Minute of the Executive Council he did, but he adds he may point out that it is quite unnecessary to call upon a controversial discussion of what he actually did say, as he had no authority whatever to commit the Dominion Government to pay one dollar beyond what was sanctioned by Parliament.

The Committee concur in the report of the Minister of Finance, and submit the same for Your Excellency's approval, and, if sanctioned, they suggest that a copy of the Order in Council be transmitted to the Lieutenant Governor of Nova Scotia.

Certified.

W. H. LEE, *Clerk Privy Council.*

OTTAWA, 4th August, 1871.

SIR,—Adverting to your despatch of the 11th ult., and to previous correspondence on the subject, I have the honor to transmit to you herewith, for the information of your Government, a copy of an Order of His Excellency the Governor General in Council, on the Minute of your Executive Council, a copy of which accompanied your despatch, on claims relating to the new provincial building, submitted by the Government of Nova Scotia.

I have, &c., &c.,

JOSEPH HOWE, *Secretary of State.*

Lieutenant-General Sir HASTINGS DOYLE, K.C.M.G.

PROVINCIAL SECRETARY'S OFFICE, HALIFAX, 24th August, 1871.

SIR,—I have the honor to enclose two copies of a Minute of Council passed this day, and to request Your Excellency to have the goodness to transmit one copy to the Hon. the Secretary of State for the Provinces and hand the other to Sir Francis Hincks, who, as Minister of Finance, it is hoped, will be in a position to furnish this Government with an early reply.

I have the honor to be, &c.,

W. B. VAIL, *Provincial Secretary.*

His Excellency Lieutenant-General Sir HASTINGS DOYLE, K.C.M.G.

GOVERNMENT HOUSE, HALIFAX, N. S., 31st August, 1871.

SIR,—I have the honor to transmit herewith to you a copy of a Minute of my Executive Council, dated 24th August, concerning the new provincial building, in reply to a Minute of the Privy Council of Canada, which was transmitted to me in your despatch of the 4th inst.

At the request of my Council, I submitted a copy of this Minute to the Finance Minister of Canada, who was, at that time, staying here. The reply which Sir Francis Hincks made thereto will more properly be communicated to His Excellency the Governor General through another channel; yet, in order that this correspondence may be complete, I transmit a copy of it herewith.

To this memorandum my Government made a reply, a copy of which is also enclosed, marked C. And the last document, marked D, is a copy of an agreement made after further negotiations, and signed in duplicate by Sir F. Hincks, on behalf of the Dominion Government; and the Hon. W. B. Vail on behalf of that of Nova



Scotia, recording the names of the gentlemen whom each Government has nominated as arbitrators, and also providing for the appointment of an umpire, should the arbitrators be unable to agree upon any person to fill that position.

I have much pleasure in requesting you to submit to His Excellency the Governor General these several documents, which I trust may be considered as finally bringing to a close a controversy which has already been prolonged to an inordinate length, and as providing for the satisfactory adjustment of a difficulty that has for some time caused embarrassment to the two Governments interested in this question.

I have, &c., &c.,

HASTINGS DOYLE.

Hon. the Secretary of State for the Provinces.

*Copy of a Minute of Council passed on the 24th day of August, 1871.*

The Council have under consideration the report of a Committee of the Honorable the Privy Council of the Dominion of Canada, dated at Ottawa the 31st day of July, 1871, in reference to the Minute of this Council on the subject of the new provincial building at Halifax.

In reply to that report, the Council feel called upon to make the following observations:—

The report, in itself, does not appear to explain so fully or so clearly as the Council could wish the precise range of arbitration—especially on financial matters—relative to the new provincial building, to which the Government at Ottawa assents.

It is with a sincere and earnest desire for the speedy settlement of this question that the Council now request a more explicit statement.

In the report referred to appears the following paragraph:—

“In explaining to Mr. Vail, as he, the Minister of Finance did, in his letter of the 22nd ultimo, that the Dominion Government was willing that the arbitrators should put the most liberal construction on the language of the statute, the object was to leave the arbitrators as unfettered as possible in their deliberations on all claims in relation to the new provincial building submitted by the Government of Nova Scotia, whether covered by vote of Parliament or not.

“The Council hope that they are warranted in believing that this means that the Dominion Government are prepared to submit “All claims, whether financial or otherwise, so entirely and absolutely to the proposed arbitrators, that in the event of an award authorizing the payment to Nova Scotia of a sum larger than the amount mentioned in the resolution passed by the House of Commons last Session, the Dominion Government will not only accept such award, but will also take the necessary steps to make it effectual, by obtaining from the Dominion Parliament any such excess over the sum already voted, and making early payment of the same to the Government of Nova Scotia.

“If this is clearly understood, the Council will feel warranted in expecting, with satisfaction, the immediate commencement of the arbitration and speedy disposal of this question.

“As regards the references, at the close of the report, to statements alleged to have been made by the Hon. the Provincial Secretary of Nova Scotia, while recently at Ottawa, the Council regret that such references were considered desirable, as the Hon. Secretary informs the Council that he certainly did not make such statements, and that these could only be attributed to him through some unaccountable mistake, for which he is not responsible.

“The Council trust that no matter of this kind may be introduced to interfere with an early settlement of the new provincial building question, which would be not only just to Nova Scotia, but, in any case, beneficial to the public interests at large.”

OTTAWA, 9th September, 1871.

SIR,—I have the honor to acknowledge the receipt of your despatch of the 31st ult., covering a copy of a Minute of your Executive Council, dated the 24th ult., with certain other documents concerning the new provincial building at Halifax.

I have to inform you that these documents will be duly submitted for the consideration of His Excellency the Governor General.

I have, &c., &c., &c.,

G. POWELL, *for Under Secretary of State.*

Lieutenant-General Sir HASTINGS DOYLE, K.C.M.G., &c.

HALIFAX, 24th August, 1871.

The undersigned, Minister of Finance, having had communication of a Minute of Council passed on the 24th inst., by the Lieutenant-Governor and Executive Council of Nova Scotia, has the honor to submit the following observations thereon:—

The undersigned beg most cordially to respond to the expression in the Minute of a sincere and earnest desire for the settlement of the question in controversy with regard to the new provincial building between the Government of the Dominion of Canada and the Government of Nova Scotia. He has no hesitation in assuring the Government of Nova Scotia that, in consenting that all money claims whatever relating to the said building, which have been preferred by the Government of Nova Scotia, including not only the sum named in the resolution of the House of Commons, but also the amounts deducted by the Dominion Government from the Nova Scotia subsidy, should be referred to arbitration it was intended by the Dominion Government to give full effect to the award of the arbitrators, to whom these claims are to be referred with as little delay as the possible necessity of a reference to Parliament may cause. The undersigned trusts that if he calls attention to a word in the Minute which he thinks susceptible of a construction that might lead to misunderstanding his doing so will be attributed solely to an anxious desire to avoid the possibility of such misunderstanding. The word is "otherwise." As the only claims which the undersigned feels that he has any authority to deal with, are "financial;" he hopes that such claims alone are contemplated by the Minute of Council as subjects of reference.

With regard to the reference to the conversation which took place at Ottawa between the Hon. Mr. Vail and himself, the undersigned has to express his regret that through inadvertence he stated in his report to the Privy Council that Mr. Vail had stated that the telegram, a copy of which he showed to the undersigned, was sent by Mr. Jones, M.P. for Halifax. This, the undersigned admits, was a mistake. He had a distinct recollection of being shown the telegram, but it was from others, and not from Mr. Vail, that he learned that it had been sent by Mr. Jones. The undersigned has no doubt now that this was a mistake, and he therefore regrets that Mr. Jones' name was introduced into the Minute, and more especially that Mr. Vail should have been given as an authority.

The undersigned readily responds to the desire expressed in the Minute of Council, that no matter of this kind should be allowed to interfere with the early settlement of the provincial building question.

F. HINCKS.

PROVINCIAL SECRETARY'S OFFICE, HALIFAX, 26th August, 1871.

SIR,—I have the honor to forward the enclosed copy of a Minute of Council, passed on the 25th day of August instant, and to request that Your Excellency will have the goodness to transmit the same to the Hon. the Secretary of State for the Provinces.

I have the honor, &c., &c., &c.

H. CROSKILL, *Deputy Secretary.*

His Excellency Lieutenant-General Sir HASTINGS DOYLE, &c., &c.



*COPY of a Minute of Council passed on the 25th day of August, 1871.*

The Council have had under consideration a communication from the Hon. the Minister of Finance, dated 24th August, on behalf of the Privy Council of the Dominion of Canada, in reference to a Minute of this Council, bearing the same date, on the subject of the new provincial building controversy between the Dominion and Nova Scotia Governments.

The Council recognize with satisfaction the complete concession of that comprehensive basis and scope of arbitration which the Government of Nova Scotia have always felt it their duty to acquire.

In view of the ready and unqualified assent to the claims of this Government, given in the Hon. the Finance Minister's communication, the Council feel now that the negotiations on this subject are so far satisfactorily advanced that the appointment of arbitrators between the two Governments comes up for immediate consideration, and the Council therefore trust they may hear from the Government at Ottawa as soon as possible on this subject.

As regards the distinction made in the communication between claims and financial and "otherwise," the Council have to state that they do not mean to embarrass the final settlement of the question by pressing any other claims than those already now included in the basis of arbitration by mutual consent.

The Council gladly receive the personal explanation of the Hon. Finance Minister, and are gratified at the renewed assurance of a desire to end the new provincial building controversy early, equitably, and on its own merits.

*MEMORANDUM of a Conference between Sir Francis Hincks, Finance Minister of Canada, representing the Dominion Government, and the Executive Council of Nova Scotia, on the new Provincial Building question.*

It is agreed that the new provincial building question be submitted immediately to the following gentlemen as arbitrators:—

John Boyd, Esq., of St. John, N.B., representing the Dominion Government,  
James B. Duffus, Esq., Halifax, representing the Government of Nova Scotia.

It is agreed that the preliminary duty of the arbitrators now appointed shall be the choice of an umpire, and the two Governments shall agree to and accept whatever selection these arbitrators shall make.

It is further agreed that in the event of the arbitrators being unable to unite in the selection of an umpire, the two Governments, unless some subsequent agreement is made between them, shall take up the names of John Livesey, Esq., of London-derry, N.S., and Mr. Clinch, Telegraph Superintendent, of St. John, and shall choose one of these names by lot; and that the gentlemen so selected shall be considered and accepted by both Governments as umpire between the arbitrators on this question. Dated at Halifax, N. S., 30th August, A.D. 1871.

Signed, on behalf of the Government of the Dominion of Canada,  
F. HINCKS, *Minister of Finance.*

On behalf of Nova Scotia,

W. B. VAIL, *Provincial Secretary.*

GOVERNMENT HOUSE, HALIFAX, 28th September, 1871.

SIR,—I have the honor to transmit to you herewith a copy of a letter addressed to me by the Provincial Secretary, in which Mr. Vail states that the umpire having been appointed by the arbitrators in the new provincial building question, and he having also consented to act in that capacity, the Government of Nova Scotia are prepared to hand over the said building, with certain specified exceptions, to the Dominion Government, according to agreement. I have, therefore, the honor to request that some officer representing the Dominion Government may be instructed to take over the building from the hands of the Government of this Province.

I have, &c.,

HASTINGS DOYLE.

Hon. the Secretary of State for the Provinces.

PROVINCIAL SECRETARY'S OFFICE, HALIFAX, 28th September, 1871.

SIR,—The arbitrators, John Boyd, Esq., of St. John, and James R. Duffus, Esq., of this city, appointed to decide the question in dispute relative to the new provincial building, having met on the 25th inst., and selected for umpire William Heard, Esq., of Charlottetown, P.E.I., and the latter having, yesterday, consented to act, Your Excellency will have the goodness to inform the Hon. the Secretary of State for the Provinces that the Government of Nova Scotia are now, according to agreement, prepared to allow the Dominion Government the immediate use of the said building, with the exception of the rooms occupied by the Crown Land Department and as a museum.

Your Excellency will also please inform the Hon. the Secretary of State for the Provinces that the rooms on the second flat of the new building, now occupied by the Crown Land Department, will be transferred to the Dominion Government as soon as the requisite arrangements can be made for the removal.

I have the honor, &c.,

W. B. VAIL, *Provincial Secretary.*

His Excellency Lieutenant-General Sir HASTINGS DOYLE, &c.

GOVERNMENT HOUSE, HALIFAX, 13th November, 1871.

SIR,—I have the honor to state, for the information of His Excellency the Governor General, that the three arbitrators to whom the dispute in reference to the new provincial building was, by consent of the Dominion and Provincial Governments referred, met in this city on the 8th, 9th, 10th and 11th days of this month, and that having heard arguments and statements on both sides of the question at issue, they, on Saturday last, agreed upon an award, of which I have now the honor to enclose a certified copy.

I have, &c.,

HASTINGS DOYLE.

Hon. the Secretary of State for the Provinces.

OTTAWA, 5th October, 1871.

SIR,—I have the honor to acknowledge the receipt of your despatch of the 23rd ult., covering a copy of a letter addressed to you by the Financial Secretary, announcing the appointment of an umpire by the arbitrators of the new provincial building question, and stating that the Government of the Province of Nova Scotia are prepared to give up possession of that building, with certain specified exceptions, to the Dominion Government, according to agreement.

Your request that some officer representing the Dominion Government may be authorized to take over the building will receive early consideration.

I have, &c., &c.,

E. A. MEREDITH, *Under Secretary of State.*

Lieutenant-General Sir HASTINGS DOYLE, K.C.M.G., &c.

GOVERNMENT HOUSE, HALIFAX, 2nd October, 1871.

SIR,—I have to inform you that I have received notice from Sir Francis Hincks that Mr. Sydenham Howe has been instructed by the Government of the Dominion to take over the new provincial building, and I have therefore to request that it may be handed over to that gentleman, who is prepared to receive it at your hands.

I have the honor to be, Sir, your obedient servant,

HASTINGS DOYLE.

Hon. the Provincial Secretary, &c., &c.

PROVINCIAL SECRETARY'S OFFICE, HALIFAX, 13th November, 1871.

SIR,—The arbitrators appointed by the Government of the Dominion and the Government of Nova Scotia, for the purpose of settling the dispute in reference to the new provincial building, met in this city on the 8th, 9th, 10th and 11th days of



November, instant, and I now have the honor to enclose Your Excellency a copy of the award duly certified, which Your Excellency will have the goodness to forward to the Hon. the Secretary of State for the Provinces.

I have the honor, &c.,

W. B. VAIL, *Provincial Secretary.*

His Excellency Lieutenant-General Sir HASTINGS DOYLE.

*COPY of the Award of the Arbitrators appointed to settle the dispute in reference to the new Provincial Building.*

The arbitrators appointed by the Government of the Dominion of Canada and the Government of the Province of Nova Scotia under the terms of the agreement entered into between Sir Francis Hincks, of the one part, and the Hon. W. B. Vail, of the other part, for the purpose of taking into consideration all money claims whatever relating to the new provincial building which have been preferred by the Government of Nova Scotia, including not only the sum named in the resolution of the House of Commons, but also the amounts deducted by the Dominion Government from the Nova Scotia subsidy, having met in the city of Halifax, in the Province of Nova Scotia, on the eighth and three following days of this present month of November, and having heard the very able arguments of counsel, the Hon. Mr. Garvie for Nova Scotia, and W. H. Tuck, Esq., for the Dominion, the arbitrators looking at the wide scope granted them under the above authority from Sir Francis Hincks for and on behalf of the Dominion Government, to take into consideration a large and generous view of the financial position of the new provincial building, have preferred to ignore the claim made for sixty-six thousand three hundred and eighty-five dollars, and the withheld amount of subsidy, and to base their decision on the claim for joint ownership and occupation of the building, as well as for other claims which have been presented; and as it has been clearly shown that a portion of the building was intended for Departments connected with the Local Government and also a Provincial Museum, &c., they are, therefore, of opinion that allowance should be made for this portion of the building as though it had been separate and distinct (in which case it would have been handed over to the Local Government without question), and they, therefore, adjudge that the Dominion do pay to the Local Government the sum of seventy thousand dollars as the value of such portion of the building, and a further sum of ten thousand dollars for interest on the same to date, and that this be in full of all demands of the Local Government upon the Dominion Government for the provincial building, so called.

The arbitrators indulge the hope that the harmony and good feeling which prevailed in all their deliberations may be extended throughout the entire Province, and that the settlement of this dispute will lead to a harmonious working of the two Governments, both local and general.

The fees to follow the award.

Dated in Halifax, Nova Scotia, this eleventh day of November, in the year of our Lord one thousand eight hundred and seventy-one.

Fees..... \$1,000

JOHN BOYD, *for Dominion of Canada,*  
JAMES R. DUFFUS, *for Province of N.S.*

I fully concur in the above award.

WM. HEARD, *Umpire.*

OTTAWA, 18th November, 1871.

Sir,—I have the honor to acknowledge the receipt this morning of your despatch of the 13th instant, covering a certified copy of the award made by the arbitrators to whom the dispute in reference to the new provincial building was, by the consent of the Dominion and Provincial Governments, formally submitted.

I have, &c., &c., &c.,

JOSEPH HOWE, *Secretary of State for the Provinces.*

Lieutenant-General Sir HASTINGS DOYLE, K.C.M.G., &c.

## PAYMENT OF SUBSIDIES.

OTTAWA, 10th July, 1871.

SIR,—I have the honor to inform you that a question has been raised as to the propriety of the mode hitherto adopted in paying the subsidies due by the Dominion Government to the several Provinces, such payments, up to the present time, having been made to the treasurer or other financial officer of each Province.

May I request, therefore, that you will have the goodness to procure and transmit to me a formal expression of the wishes of your Government as to the mode in which the payment of the subsidy to the Province of Nova Scotia shall, for the future, be made.

I have, &amp;c., &amp;c.,

E. A. MEREDITH, *Under Secretary of State.*

Lieutenant-Governor Sir HASTINGS DOYLE, K.C.M.G.

GOVERNMENT HOUSE, HALIFAX, N.S., 12th August, 1871.

SIR,—I have the honor to forward to you a copy of a letter from the Provincial Secretary, containing the reply made by my Government to your despatch, No. 470, of 10th July, concerning the mode adopted in paying the subsidies due by the Dominion Government to the several Provinces.

I have, &amp;c., &amp;c.,

HASTINGS DOYLE.

Hon. the Secretary of State for the Provinces.

PROVINCIAL SECRETARY'S OFFICE, HALIFAX, 9th August, 1871.

SIR,—I have the honor to acknowledge the receipt of the communication from the Under Secretary of State, forwarded by Your Excellency, and bearing date the 10th July last, in reference to the mode adopted in paying the subsidies due by the Dominion Government to the several Provinces. Your Excellency, in replying to that communication, will have the goodness to inform Mr. Meredith that the Government of this Province are satisfied with the mode of payment pursued in reference to Nova Scotia, excepting in the case of the retention by the Dominion Government of a considerable portion of that subsidy, and they would intimate, as "a formal expression of the wishes" of the Provincial Government, that it will be more satisfactory if, in the future, the amount of the subsidy be paid in full.

I have the honor, &amp;c., &amp;c.,

W. B. VAIL, *Provincial Secretary.*

His Excellency Lieut.-General Sir HASTINGS DOYLE, K.C.M.G.

## RETURN

To an Address of the House of Commons, dated 27th February, 1871;—For copies of all correspondence between the Government of the Dominion and the Local Government of Nova Scotia, touching the new public building at Halifax, and the claim made by the Local Government to be reimbursed certain expenses incurred by the Province in completing said building since 1st July, 1867; and also a statement of all moneys paid by the Dominion to the Local Government since the passage of the Act 32-33 Vic., cap. 2, entitled "An Act respecting Nova Scotia," over and above the subsidy as increased by that Act, or for and in payment of any claims or demands made by that Province upon Canada, and the subjects and nature of such claims, if any; the time when such claims accrued, and the dates of the respective payments thereof.

By Command,

J. C. AIKINS,

*Secretary of State.*

Department of the Secretary of State,  
Ottawa, 8th March, 1871.



OTTAWA, 6th March, 1871.

SIR,—With reference to the Address of the House of Commons of the 27th ultimo, a copy of which was communicated by you to this Department on the 4th instant, asking for copies of correspondence between the Dominion Government and the Government of Nova Scotia, on the subject of the new provincial building at Halifax, I have the honor to transmit to you herewith copies of all the correspondence on the subject of record in this Department.

I have the honor to be, Sir, your most obedient servant,

E. A. MEREDITH, *Under Secretary of State for the Provinces.*

E. PARENT, Esq., *Under Secretary of State.*

OFFICE OF SECRETARY OF STATE FOR THE PROVINCES,

OTTAWA, 24th April, 1868.

SIR,—I have the honor, by command of His Excellency the Governor General, to transmit to you herewith a copy of a letter from the Secretary of the Department of Public Works, and to request that you will have the goodness to procure and forward to this Department, at your convenience, the information therein asked for, respecting the new provincial building at Halifax.

I have, &c.,

HECTOR L. LANGEVIN, *Secretary of State, &c.*

Hon. the Provincial Secretary, Halifax.

OTTAWA, 22nd April, 1868.

SIR,—The Hon. the Minister of Public Works instructs me to direct your attention to the British North America Act, 1867, and also to the Public Works Act, 31 Vic, cap. 12, 1867; the first placing the public buildings of these several Provinces under the Dominion Government, and the second placing the Dominion buildings in charge of this Department, and to request that you will write to the Government of Nova Scotia and ascertain when the commissioners, under whose care the new provincial building at Halifax was erected, will be prepared to hand over the said building to this Department.

I have, &c.,

F. BRAUN, *Secretary.*

Hon. the Secretary of State, &c.

PROVINCIAL SECRETARY'S OFFICE, HALIFAX, N.S., 8th May, 1868.

SIR,—I have the honor to acknowledge the receipt of your communication, No. 329, dated 24th April, transmitting a copy of a letter from the Department of Public Works, asking for information relative to the new provincial building, and I have it in command to forward you a copy of a Minute of Council made at Halifax on the 27th of February last:

"It is recommended that the new provincial building, now about completed, be held by the Government and remain vacant, pending the settlement of the question of Confederation."

When the Act for the Union of Canada, Nova Scotia and New Brunswick, passed in the Imperial Legislature, this building, which was then in process of erection, and by no means far advanced towards completion, was not, in the opinion of the Government of Nova Scotia, a public building within the meaning of section 108 of that Act, and the schedule therein referred to.

Such being the construction put upon the Act, it is not the intention of the Government of Nova Scotia to part with the possession of the building.

I have, &c.,

W. B. VAIL, *Provincial Secretary.*

Hon. the Secretary of State, Ottawa.

## OFFICE OF SECRETARY OF STATE FOR THE PROVINCES,

OTTAWA, 18th May, 1868.

SIR,—I enclose herewith, for the information of the Hon. the Minister of Public Works, a copy of a letter from the Provincial Secretary of Nova Scotia on the subject referred to in your communication of the 22nd ultimo.

I have, &c.,  
 HECTOR L. LANGEVIN, *Secretary of State.*  
 F. BRAUN, Esq., Secretary of the Department of Public Works.

GOVERNMENT HOUSE, HALIFAX, N. S., 28th July, 1870.

SIR,—I have the honor to enclose a Minute of my Executive Council, dated the 27th inst., in reference to the claims of this Province on the Dominion Government for expenditure on the new provincial building subsequent to the 1st day of July, 1867.

I have, &amp;c.,

EDWARD KENNY.

Hon. the Secretary of State for the Provinces.

*COPY of a Minute of Council passed at Halifax on the 27th day of July, 1870.*

The Council have under consideration a letter under date of 1st July, 1870, from Mr. Langton, Dominion Auditor, to the Hon. Provincial Secretary, transmitting a statement of subsidy account, in which a charge of \$30,000 is made against the Province of Nova Scotia as interest for three years, from 1st July, 1867, to the 1st July, 1870, on the alleged cost of the new provincial building, upon which charge they beg to make the following observations:—

1. The new provincial building was contracted for in November, 1863, through commissioners appointed by the then Government of Nova Scotia, and was intended to accommodate Departments, the control of which, by the British North America Act, is now divided between the General and Local Governments.

2. That at the time the Confederation scheme was agreed to, in October, 1864, only about \$7,300 had been expended on that building; and had the work been suspended at that date the Dominion Government must necessarily have completed the building out of Dominion moneys; the Provincial Government, however, allowed the work to proceed, assuming, as we are informed, that if an Imperial Act passed confederating the British North American colonies the Province of Nova Scotia would be reimbursed for the outlay.

3. On the 1st July, when the Confederation Act became law, the commissioners had expended \$83,111 on the building, which, with the cost of land, swelled the whole expenditure to \$122,695. The work was continued after that period by the commissioners, until April, 1868, when the building was completed, and an additional expenditure of \$66,385 incurred, which was paid by the Local Government from funds received for provincial subsidy, making the total cost of the building, including the site, \$189,080.64.

4. The only correspondence that has taken place between the Dominion and Local Government on this building was a despatch from the Secretary of State for the Provinces, transmitting a copy of a letter from Mr. F. Braun, Secretary of the Department of Public Works, under date 28th April, 1868, asking "when the Provincial Government would be prepared to hand over the said building to that Department?" To which the Provincial Secretary replied, on the 8th May, 1868, and forwarded a copy of the following Minute of Council, passed the 28th February, 1868:—

"It is recommended that the new provincial building, now about completed, be held by the Government and remain vacant, pending the question of the settlement of Confederation;" and further stating that in the opinion of the Council it was not a building within the meaning of section 108 of the British North America Act.

5. The Council are aware that the question of the new provincial building was discussed by Messrs. Howe and McLellan, and Sir John Rose, in January, 1869. In



the letter of Messrs. Howe and McLelan, under date 28th January, 1869, those gentleman remark :—

“If it be assumed that under the Act that portion of the property created by being contracted for just prior to the conference, although the expenditure was subsequently made prior to the adjustment of the debts and assets, reverted to the Dominion, then we would urge that Nova Scotia is entitled to claim whatever sum was paid subsequent to that adjustment.”

In reply to which Sir John Rose, under date January, 1869, states “that its cost goes to make up the total debt of Nova Scotia, but it is, nevertheless, Dominion property, as much as the railways, portions of which have been constructed in the same interval; and it therefore stands on the same footing, except, perhaps, as to any outlay since July, 1867, which may form the subject of equitable adjustment.”

6. On the 25th May, 1869, the Legislative Council adopted, without a division, the report of the committee to whom was referred the correspondence relating to the new provincial building :—

“And therefore this committee are of opinion that the building is not included in and ought not to be subject to the 108th section of the Act of Confederation, which assigned the public buildings of the Provinces as the property of the Dominion Government, but that the building in question is a clear asset of the Province of Nova Scotia, and should be dealt with as such in the negotiations between the two Governments.” And on the 14th of June, 1869, the House of Assembly unanimously adopted the following resolution :—

“Resolved,—As the opinion of this House, that the new provincial buildings, constructed at a large expense from provincial funds, be sold to any person or persons who may be disposed to purchase the same at cost.”

7. The correspondence alluded to in the 4th section of this Minute is the only correspondence that had passed between the Dominion and Local Governments up to March, 1870, and as the building, with the exception of that portion used by the Crown Land Department, was still unoccupied, very much to the detriment and inconvenience of the people of Halifax, and no progress made in the settlement of the question as to ownership, the Provincial Secretary was instructed to forward the following telegram to Sir John A. Macdonald :—

“HALIFAX, 21st March, 1870.

“Will your Government submit dispute in connection with new provincial building to arbitration ?

“W. B. VAIL.”

To which the following answer was received :—

“OTTAWA, 24th March, 1870.

“Government have no power, by law, to submit question to arbitration.

“J. A. MACDONALD.”

The Government then determined, if possible, to bring the matter to a final issue, and the Provincial Secretary was directed to forward a second telegram to Sir John A. Macdonald, of which the following is a copy :—

“HALIFAX, 25th March, 1870.

“Will your Government pay amount expended on new provincial building subsequent to July, 1867 ?

“Answer by telegraph.

“W. B. VAIL.”

To which no answer has been received.

8. The foregoing is a complete history of this building, from its commencement, in 1864, to the present time. The Council have always held, and are still of opinion, that Nova Scotia is justly entitled to receive from the Dominion Government the whole cost of this building, less the sum expended prior to the signing of the Quebec scheme, but as it was very desirable that the question should be settled, in order that

the building might be used for the purposes for which it was intended, the Government concluded, in March last, to accept the view of Sir John Rose, as expressed in his letter to Messrs. Howe and McLelan, on the 20th January, 1869, more particularly as the Council have reason to believe that Mr. McLelan concurs in that opinion. With a view to the settlement of this vexed question, the Government sent the before-mentioned telegrams, in the hope that they would lead to the transfer of the property, on payment by the Dominion Government of the \$66,385, the sum paid out by the Province of Nova Scotia subsequent to 1st July, 1867.

9. This being the true position of the building question, the Council protest against any sum being charged the Province of Nova Scotia for interest on its cost.

Because the Dominion Government, allowing that they had grounds for this claim, which the Council by no means admit, have no right whatever to charge interest for three years, as the building was not completed until April, 1868, and if a claim could be legally preferred against the Province it could only be for interest after completion on the sum expended prior to 1st July, 1867, viz., \$122,695, which, in the opinion of the Council, the Dominion Government have clearly forfeited for the reason set forth in this Minute, and in consequence of not having made a formal demand for the building on or about the time the Union Act took effect, or subsequently, accompanied with an offer to refund the Province the sum expended from the provincial treasury.

In conclusion, the Council being satisfied that there is due to this Province on account of the building the sum of \$66,385, cannot acknowledge any claim of Canada for interest or otherwise until the matters in difference on this subject are finally determined and the above amount paid into the provincial treasury.

Certified.

W. B. VAIL, *Clerk of Council.*

The undersigned has the honor to submit the following report on the despatch of His Honor the Administrator of the Government of Nova Scotia, dated 28th July last, transmitting the copy of a Minute of the Executive Council of that Province, protesting against any sum being charged the Province of Nova Scotia for interest on the cost of the new provincial building. The deduction of which the Executive Council of Nova Scotia complains was made in accordance with the 3rd section of the Act 32 and 33 Vic., cap. 2, owing to the refusal of the Government of Nova Scotia to surrender to the Dominion Government the new provincial building until the latter shall adopt the view taken by the Local Government as to the liability of the Dominion Government. The undersigned is of opinion that it is inexpedient to discuss at present the merits of the claim, which, even if admissible, ought not to be enforced by the retention of the buildings, which has caused the greatest inconvenience to the Dominion Government.

The undersigned therefore recommends that a formal notice be given to the Government of Nova Scotia, that unless the building be handed over to the Dominion Government on or before 1st December next it will be absolutely necessary for the Dominion to provide other accommodation for the Customs and Post Office Departments. Should the building be placed in possession of the Dominion Government it is needless for the undersigned to observe that all accounts between the Dominion Government and the Province of Nova Scotia will be adjusted in accordance with law and equity.

F. HINCKS, *Minister of Finance.*

OTTAWA, 24th September, 1870.

*COPY of a Report of a Committee of the Honorable the Privy Council, approved by His Excellency the Governor General in Council on the 10th October, 1870.*

On a letter, dated 28th July, 1870, from the Hon. Edward Kenny, Administrator of the Government of the Province of Nova Scotia, enclosing a Minute of His Executive Council, dated the 24th of the same month, in reference to a claim for \$30,000 made by the Dominion Government against that Province, as interest for



three years, from 1st July, 1870, on the cost of the new provincial building subsequently to 1st of July, 1867.

The Executive Council of Nova Scotia, in their said Minute, state, that being satisfied, for the reasons therein given, that there is due to that Province on account of the building the sum of \$66,385, they cannot acknowledge any claim of Canada for interest or otherwise until the matters in difference on this subject are finally determined and the latter amount paid into the provincial treasury.

The Hon. the Minister of Finance reports that the deduction of which the Executive Council of Nova Scotia complains was made in accordance with the 3rd section of the Act 32 and 33 Vic., cap. 2, owing to the refusal of the Government of Nova Scotia to surrender to the Dominion Government the new provincial buildings until the latter shall adopt the view taken by the Local Government as to the liability of the Dominion Government.

The Minister states he is of opinion that it is inexpedient to discuss, at present, the merits of the claim, which, even if admissible, ought not to be enforced by the retention of the building, which has caused the greatest inconvenience to the Dominion Government. He therefore recommends that a formal notice be given to the Government of Nova Scotia, that unless the building be handed over to the Dominion Government on or before the 1st December next it will be absolutely necessary for the Dominion Government to provide other accommodation for the Customs and Post Office Departments.

That should the building be placed in possession of the Dominion Government it is needless for him to observe that all accounts between the Dominion Government and the Province of Nova Scotia will be adjusted in accordance with law and equity.

The Committee concur in the above report, and advise that it be approved, and its purport communicated to the Government of Nova Scotia.

Certified.

WM. H. LEE, *Clerk Privy Council.*

OFFICE OF SECRETARY OF STATE FOR THE PROVINCES,

OTTAWA, 11th October, 1870.

SIR,—Adverting to your despatch of the 28th July last, and the accompanying Minute of your Executive Council, on the subject of an alleged claim of the Government of Nova Scotia on the Dominion Government for expenditure on the new provincial building, which despatch was received by the Hon. the Secretary of State for the Provinces when in Halifax, I have the honor to transmit to you herewith for the information of your Government, a copy of an Order of his Excellency the Governor General on the subject of the said Minute.

The Government of Nova Scotia will please to consider this letter and its enclosure as the "formal notice" referred to in fourth paragraph of the Order in Council.

I have, &c.,

E. A. MEREDITH, *Under Secretary of State for the Provinces.*

GOVERNMENT HOUSE, HALIFAX, 12th October, 1870.

SIR,—I have the honor to transmit to you a copy of a letter addressed to me by the Provincial Secretary, and request that I may be informed whether the Government of Canada have come to any decision upon the question to which reference is therein made.

I have, &c.,

HASTINGS DOYLE, *Lieutenant Governor.*  
Hon. the Secretary of State for the Provinces, &c.

PROVINCIAL SECRETARY'S OFFICE, HALIFAX, 11th October, 1870.

SIR,—On the 27th day of July last a Minute of Council was passed, protesting against the charge made by the Dominion Government of \$30,000 for interest on the

new provincial building. On the following day, the 28th, the said Minute was forwarded to His Honor the Administrator, to be transmitted to the Hon. the Secretary of State for the Provinces. Since then no reply has been received by the Government of Nova Scotia, and I am instructed to request that Your Honor will have the goodness to enquire of the Secretary of State for the Provinces if the Government of Canada have reconsidered the matter, or whether it is still their intention to retain the \$30,000 out of the amount of subsidy justly due to this Province.

I have, &c.,

W. B. VAIL, *Provincial Secretary.*

His Honor Sir HASTINGS DOYLE, K.C.M.G.

OFFICE OF SECRETARY OF STATE FOR THE PROVINCES, 21st October, 1870

SIR,—I have the honor to acknowledge the receipt of your despatch of the 12th instant, covering a copy of a letter addressed to you by the Provincial Secretary, on the subject of the charge made by the Dominion Government of \$30,000 for interest in the new provincial building.

Mr. Under Secretary Meredith's letter of the 11th instant, addressed to Administrator of the Government, will have informed you of the decision arrived at by the Dominion Government on the matter referred to by the Provincial Secretary.

I have, &c.,

JOSEPH HOWE, *Secretary of State for the Provinces.*

Lieutenant-General Sir HASTINGS DOYLE, K.C.M.G.,

Lieutenant-Governor, Halifax.

GOVERNMENT HOUSE, HALIFAX, 22nd October, 1870.

SIR,—In reply to your despatch, No. 476, of the 11th instant, I have the honor to transmit to you herewith a Minute of my Executive Council, relating to the new provincial building in this city.

I have, &c.,

HASTINGS DOYLE.

Hon. the Secretary of State for the Provinces, &c., &c.,

*COPY of a Minute of Council passed at Halifax on the 22nd day of October, 1870.*

The Council have before them a copy of a report of the Privy Council, approved by His Excellency the Governor General on the 10th instant, in reply to a Minute of this Council of the 27th July last, on the subject of \$30,000 retained by the Dominion Government from the subsidy due to this Province on a claim of interest on the cost of the provincial building, and giving notice to this Government that unless the building be handed over on or before the 1st December next it will be necessary to provide other accommodation for the Customs and Post Office Departments.

In reference to the 3rd section of chap. 2 of the 32nd and 33rd Victoria, the Council deny the right of the Legislature of Canada to interfere with the public or private real estate of the people of Nova Scotia, and therefore consider the enactment under consideration unconstitutional and void, for the reasons following:—

Firstly. At the time the British North America Act passed in the Imperial Legislature, the building in question had no existence, had not been completed, and was not a public building, within the meaning of the third schedule of said Act.

Secondly. There is nothing in the Imperial statute to authorize the Legislature of Canada to legislate respecting the possession of any of the property of the people of Nova Scotia, not coming within the description of property specified in such 3rd schedule.

Thirdly. The Legislature of Canada have no power or right to demand interest from the people of Nova Scotia, except in strict accordance with the clauses of the Imperial statute, referring to the debt of the Province at the date of the Union.



Fourthly. The demand for interest on the whole cost of the building, a considerable portion of which was expended by this Province after the 1st of July, 1867, is an unwarranted assumption on the part of the Dominion Legislature.

The Government, acting in strict accordance with the Local Legislature, as testified by resolutions of both branches thereof, have held the possession of the building because there was due to this Province the sum of \$66,385, expended thereon after the Union.

The building not coming within the description of the said 3rd schedule is the property of Nova Scotia, and the Government, had they been disposed to contend for the strict rights of this Province, might have insisted on Canada paying the whole cost of the building, and Canada had no right to demand the possession except as a purchaser on payment of that cost.

This view of the subject, however, being disputed by Canada, and the Government being sincerely desirous of ending all controversy on the subject and of allowing the public to enjoy the benefit of the edifice, and to accomplish the purposes for which it had been erected, offered to transfer it to Canada for \$66,385, the amount actually expended on it after the Union.

The Dominion Government having thought proper to reject this fair, just and reasonable proposal, the Council desired to have the difference settled by arbitration, and proposed a reference, which was also declined.

The Council, therefore, contend that all inconvenience the public have sustained, in being deprived of the use of the building, and all other injurious consequences, are justly chargeable on the Dominion Government.

The Council were astonished to hear from the Provincial Secretary, on his return from Ottawa, in November, 1869, that the Dominion Government, acting on the advice of the Hon. Joseph Howe, objected to reimburse the Province for the money expended after the 1st July, 1867; and as Mr. McLelan was a party to the arrangement of the accounts, and, as the Council has reason to believe, had the financial part of the business in charge, the Provincial Secretary addressed a letter to him on the subject, of which the following is a copy:—

HALIFAX, 17th December, 1869.

DEAR SIR,—The “Act respecting Nova Scotia,” passed last Session of the House of Commons, confirming the agreement entered into by Mr. Rose and Mr. Howe, and yourself, is somewhat obscure in reference to the new provincial buildings; and I shall feel greatly obliged if you will inform me whether it was intended that Nova Scotia should be charged with interest on the whole cost of the building, or only on that paid prior to the 30th June, 1867.

I distinctly remember, in conversation with you the evening after your return from Ottawa, you stated the money we would receive from the Dominion Government for the new provincial building would more than reimburse us for expenditure on the new poor’s asylum; but, as you did not state the amount, I have thought it advisable to seek information from you before opening negotiations, with a view of getting the question in regard to the building settled.

I am, &c.,

W. B. VAIL.

Hon. A. W. McLELAN.

REPLY.

LONDONDERRY, 3rd January, 1870.

MY DEAR SIR,—I really regret that I hurriedly passed over the closing paragraph of yours of the 17th, in which you say you desired the information with a view to negotiate for the settlement of the new building question, or I should have put aside matters that were pressing upon my time, and replied at once.

As I understand it, the Dominion Government will pay the expenditure on the building subsequent to 1st July, 1867.

If the amount be placed to your credit on expenditure, or completion of the building, then they will charge you interest from that date upon the whole cost of

the work, allowing you interest on the sum at your credit for expenditure after 1st July.

If the over-expenditure be not placed to your credit until the building is handed over, you will only be chargeable with interest upon the expenditure previous to 1st July, 1867.

Whichever way you put it, the result is the same. The expression in the Act is, I think, "interest on the cost of new building until handed over."

Now, the "over-expenditure" does not form part of the cost to the Dominion Government until that sum is placed by them at your credit.

I trust you will have no difficulty in adjusting the accounts, and making a satisfactory settlement of this question.

I have, &c.,

A. W. McLELAN.

HON. W. B. VAIL, Halifax.

The above letter, from Mr. McLelan, was laid before the members of the Legislature in March last, when the subject was fully discussed, and with their concurrence the Provincial Secretary forwarded the telegrams of the 21st and 25th March last to Sir John A. Macdonald, referred to in a former Minute.

The Privy Council appear to have overlooked the fact that no demand had ever been made for the possession of the building, nor was there any intimation that a transfer of it was desired after the arrangement of Messrs. Rose, Howe and McLelan, before the \$30,000 were retained, in July last.

The Privy Council, therefore, had no reason to assume that this Government would refuse to make the transfer in accordance with the arrangement, whenever the Dominion Government should signify their willingness to carry it out in good faith.

The Council dispute the right of the Dominion Government, upon any pretext whatever, arbitrarily to withhold money due to this Province on account of the subsidy, and guaranteed by an Imperial statute, which the Local Government relied on to meet the demands on the treasury authorised by the Legislature, and on which the estimates have been based.

If this power be conceded to the Dominion Government, the Government, Legislature and people of this Province are completely at the mercy of the Canadian Administration, who may, at any time, upon any pretext, retain a portion, or even the whole of the subsidy, to compel the Local Government to acquiesce in their views or submit to their exactions.

When the Minister insists, "that even if the claim of this Province, for the cost of the building, since the 1st July, 1867, were admissible, it ought not to be enforced by the retention of the building," the Council would with equal justice insist that even if the interest were due, which is not admitted, it ought not to be enforced by the retention of any part of the subsidy.

The Local Government have no desire to withhold the building longer than is absolutely necessary to protect the interests of the people of Nova Scotia and secure the amount justly due to them; on the contrary, they have been most anxious since January, 1869, up to which time Mr. Howe was apparently in full accord with the Local Administration in regard to the claim of the Province on account of the building, to get an equitable settlement of this dispute.

The Council are at a loss to discover any good reason why the accounts in connection with the building should not be adjusted before the 1st December next, if the Dominion Government desire it, and they also fail to perceive why they insist on a transfer of the building, when they must be aware that the Local Government are prevented from relinquishing it by resolutions passed unanimously in both branches of the Local Legislature.

When the report assumes so confidently that "should the building be placed in possession of the Dominion Government, all the accounts between the two Governments will be adjusted in accordance with law and equity," the Council are constrained to confess that they are not possessed of an equal amount of confidence, and



they do not feel justified in relying implicitly on the sense of justice of an Administration that has persistently declined entering into a fair, amicable and equitable adjustment of the matter in difference between the two Governments.

In conclusion, the Council, influenced by a desire to avoid all further controversy on the subject under consideration, report their readiness to have the same arranged by an arbitration, by a committee of members of both Governments, or any other amicable mode of adjustment.

Certified.

W. B. VAIL, *Clerk of Council.*

OFFICE OF SECRETARY OF STATE FOR THE PROVINCES,

OTTAWA, 31st October, 1871.

SIR,—I have the honor to acknowledge the receipt of your despatch, No. 30, of (No. 378.) the 22nd instant, covering a copy of a Minute of your Executive Council, passed on that day, relative to the new provincial building in Halifax.

I have, &c.,

JOSEPH HOWE, *Secretary of State for the Provinces.*

Lieutenant-General Sir HASTINGS DOYLE, K.C.M.G.,

Lieutenant-Governor, Halifax.

*COPY of a Report of a Committee of the Honorable the Privy Council approved by His Excellency the Governor General in Council on the 21st November, 1870.*

The Committee of Council have had under consideration the despatch, dated 22nd October, 1870, from the Lieutenant-Governor of Nova Scotia, forwarding copy of a Minute of his Executive Council, adopted on that day, as an answer to the Order of Your Excellency in Council of the 10th October last, in reference to the claim of Canada on that Province in connection with the provincial buildings at Halifax.

They have also had under consideration the annexed memorandum of the Hon. the Minister of Finance on the Minute referred to, and they respectfully advise that a copy of that memorandum be transmitted to the Lieutenant-Governor of Nova Scotia, as containing the views of this Government on the points raised in the Minute of Council above referred to.

Certified.

WM. H. LEE, *Clerk Privy Council.*

Hon. the Secretary of State for the Provinces, &c., &c., &c.

The undersigned has the honor to report on the Minute of the Executive Council of the Province of Nova Scotia, passed at Halifax on the 22nd ultimo, as follows:—The Executive Council of Nova Scotia affirm that the enactment in the 3rd section of chapter 2 of the 32 and 33 Victoria is unconstitutional and void, for certain reasons which they state, and which are in substance that the provincial building at Halifax not having been completed at the time of the passage of the British North America Act, was not a public building within the meaning of the 3rd schedule; that the Legislature of Canada have no power to demand interest from the people of Nova Scotia, except in strict accordance with the Imperial statute, and that the demand for interest on the whole cost of a building, a considerable portion of which was expended by the Province of Nova Scotia after the 1st July, 1867, is an unwarranted assumption on the part of the Dominion Legislature. The undersigned is advised that the provincial building referred to was a public building within the meaning of the 3rd schedule of the British North America Act, 1867. With regard to the Canada Act, 32 and 33 Victoria, chap. 2, the undersigned has to observe that it seems inconsistent in the Executive Council of Nova Scotia to declare it unconstitutional, and at the same time to claim the benefit which accrues to Nova Scotia under it. The clause regarding the provincial building enacts, in terms which do not admit of misconstruction, that "Nova Scotia shall from the date of the completion of the new provincial building be debited in account with Canada with interest at the rate of 5 per cent. per annum on the cost of that building, until it shall have been placed at the disposal of the Dominion." It is stated in the Minute of the Nova Scotia Council that "the Privy Council appear to have overlooked the fact that no demand had ever been made for

the possession of the building." On this the undersigned must observe that there is no necessity for making a demand for possession. The Act requires that the building shall be placed at the disposal of the Dominion, which has not been done. Reference is made in the Minute of Council to the opinions of Sir John Rose, Hon. Joseph Howe and Hon. A. W. McLelan, but the opinion of Sir John Rose and Mr. Howe were given prior to the passage of the Act 32 and 33 Victoria, chap. 2, and Mr. McLelan's letter has reference to impressions received by him at the period of the negotiations which preceded its introduction.

It is by that Act that the Finance Department must be governed, and the undersigned has only to repeat what he stated in his former report, that all accounts between the Dominion Government and the Province of Nova Scotia will be adjusted in accordance with law and equity. He must, however, call attention to the 3rd section of the Act 32 and 33 Victoria, chap. 2, which was proposed by an opponent of the Bill and accepted by the Government, and which is as follows:—"The grants and provisions made by this Act and the British North America Act, 1867, shall be in full settlement of all demands on Canada by Nova Scotia."

Without entering at present on the merits of the claim advanced on the part of Nova Scotia, the undersigned may observe that no understanding arrived at by individuals, prior to the introduction of the Bill of 1869, can be held to override a provision of the Act. The undersigned has only to add, that with regard to the charge for interest on the cost of the building from the date of its completion until it shall be placed at the disposal of the Dominion, it is not in his power to act otherwise than as directed by law.

F. HINCKS.

12th November, 1870.

OFFICE OF SECRETARY OF STATE FOR THE PROVINCES,  
OTTAWA, 23rd November, 1870.

SIR,—Adverting to your Despatch, No. 30, of the 22nd ultimo, I have the honor to enclose herewith, for the information of your Government, a certified copy of an Order of His Excellency the Governor General in Council, with a copy of the memorandum, therein referred, of the Hon. the Minister of Finance, on the subject of the claims of Canada in connection with the provincial buildings at Halifax.

I have, &c.

JOSEPH HOWE.

GOVERNMENT HOUSE, HALIFAX, N.S., 13th December, 1870.

SIR,—With reference to your despatch, No. 585, of the 23rd ultimo, and other correspondence on the same subject, I have the honor herewith to transmit to you a copy of a Minute of my Executive Council, concerning the negotiations about the new provincial building in this city.

I have, &c.

HASTINGS DOYLE, *Lieutenant-Governor.*

Hon. the Secretary of State for the Provinces.

*COPY of a Minute of Council passed the 8th day of December, 1870.*

The Council have had under consideration the memorandum of the Hon. the Minister of Finance, approved by His Excellency the Governor General in Council on the 20th November, 1870, in reply to a Minute of this Council, in reference to the payment of \$66,385 due the Province of Nova Scotia on account of the new provincial building.

The Hon. the Minister of Finance remarks, with regard to the Canada Act, 32 and 33 Vict., chap. 2, "that it seems inconsistent in the Executive Council of Nova Scotia to declare it unconstitutional, and at the same time to claim the benefit which accrues under it."



The Hon. the Minister of Finance has evidently misinterpreted the Minute of this Council of the 10th October, as it was only the 3rd section of that Act which assumed the right of Canada to legislate in respect to the real estate, public or private, of the people of Nova Scotia, that the Council considered unconstitutional.

The Council are free to admit that the Act is very explicit in asserting the right of Canada to charge interest on the cost of the building, which could have no other meaning than interest on the cost to Canada; in other words, interest on the money paid previous to the 1st July, 1867, which sum, under the arrangement of Mr. Rose with Messrs. Howe and McLellan, may have been considered as forming part of the debt which Canada assumed. The interest on that amount the Dominion Government might, perhaps, have fairly claimed, if they had fulfilled the obligations resting upon them, of paying over the money due Nova Scotia on the building; but the Council are at a loss to discover upon what principle of law or equity Canada could legislate into the Dominion treasury \$66,385 of money of the people of Nova Scotia, which was paid after 1st July, 1867, out of the treasury of Nova Scotia, and, in addition, charge interest on the amount, not one dollar of which was paid by Canada.

The Hon. the Minister of Finance states that he must call attention to the 5th section of the Act 32 and 33 Vic., chap. 2, which was proposed by an opponent of the Bill, which was accepted by the Government, and is as follows:—

“The grants and provisions made by this Act, and the British North America Act, 1867, shall be in full settlement of all demands on Canada by Nova Scotia.”

The Council are advised that the above clause was proposed with a view to prevent Nova Scotia from claiming a further increase of subsidy at a future time, and was not intended to effect in any manner the settlement of accounts between the two Governments or prevent the Dominion Government from paying over and refunding money paid out of the treasury of Nova Scotia on account of Dominion works.

And, further, as the Finance Minister has paid over money previously due to the Provincial Government, and also, if we are correctly informed, placed money collected by the Dominion Government to the credit of Nova Scotia since the passing of the Act referred to.

The Council may fully assume that he has materially changed his views as to the strict interpretation of the statute. The Hon. the Finance Minister repeats, in the report under consideration, “that all accounts between the Dominion Government and the Province of Nova Scotia will be adjusted in accordance with law and equity.” If such is the case, the Council can perceive no reason why arbitrators should not be at once appointed to decide the matters in dispute, which, it is quite obvious, cannot otherwise be disposed of, in accordance with law and equity, as the two Governments entertain entirely irreconcilable views of the requirements of justice in relation to such matters; and the Council, anxious as they have always been, to have a final settlement of the dispute, once more repeat their perfect readiness, in behalf of Nova Scotia, to have the matters in difference between the two Governments arranged by arbitrators, or by a committee composed of members of the respective Administrations, or by any other practicable and amicable mode of adjustment, at an early day, at such place as may be convenient to all parties concerned.

Certified.

W. B. VAIL, *Clerk of Council.*

DEPARTMENT OF SECRETARY OF STATE FOR THE PROVINCES,

20th December, 1870.

SIR, —I have the honor to acknowledge the receipt of your despatch, No. 35, of the (No. 378.) 13th instant, covering a copy of a Minute of your Executive Council, dated the 8th instant, concerning the negotiations about the new provincial building at Halifax.

I have, &c.,

JOSEPH HOWE.

Lieutenant-General Sir HASTINGS DOYLE, K.C.M.G.,  
Lieutenant-Governor, Halifax, N.S.

COPY of a Report of a Committee of the Honorable the Privy Council, approved by His Excellency the Governor General in Council on the 7th January, 1871.

The Committee has had under consideration the annexed report from the sub-committee of Council, to whom was referred the Minute of the Executive Council of Nova Scotia of the 8th December last, having reference to the new provincial building at Halifax, and they respectfully submit their concurrence in that report, and advise that a copy thereof, and of the present Minute, be communicated to the Lieutenant-Governor of Nova Scotia.

Certified.

WM. H. LEE, *Clerk Privy Council.*

Hon. the Secretary of State for the Provinces, &c., &c., &c.

The sub-committee of Council, to whom was referred the Minute of the Executive Council of Nova Scotia, in reference to the new provincial building, dated the 8th day of December, have the honor to report as follows:—

In 1863 the Legislature of Nova Scotia passed an Act authorizing the expenditure of a sum of money, to be raised from a new issue of provincial notes and by a loan from the savings bank, "for the purchase of the lot of land in the city of Halifax known as Hare's block, and the erection thereon of a building for the public uses of this Province."

It is admitted that this building was mainly intended for a Custom house and post office, the only public Departments then provided for in buildings not owned by the Government.

The contract for the erection of that building was made in November, 1863, and it is stated by the Government of Nova Scotia that it was completed in April, 1868, at a cost of \$189,080.64.

The 111th section of the Union Act provided that "Canada should be liable for the debts and liabilities of each Province existing at the Union." The 108th section of the same Act said, "the public works and property of each Province enumerated in the 3rd schedule to this Act shall be the property of Canada," and No. 8, in that schedule, is as follows: "Custom houses, post offices, and all other public buildings, except such as the Government of Canada appropriate for the use of the Provincial Legislatures and Governments."

It is therefore obvious that under the British North America Act the legal ownership of the new provincial building was vested in the Dominion Government, in the same manner as applied to the Truro and Pictou Railway, which was unfinished at the date of the Union.

In June, 1869, an Act was passed by the Parliament of Canada, providing for the payment of a large additional subsidy to Nova Scotia, but as it was a matter of public notoriety that the Local Government of that Province had declared its intention to retain possession of the new provincial building, section 3rd of that Act provided that Nova Scotia shall, from the date of the completion of the new provincial building, be debited in account with Canada with interest at the rate of 5 per cent. per annum on the cost of that building, until it shall have been placed at the disposal of the Dominion.

The Local Government, while accepting the additional subsidy payable under the Act of 1869, not having handed over the building, the interest on the cost has necessarily been deducted, in compliance with the law.

The necessity for a suitable Custom house and post office at Halifax is very pressing, but the sub-committee would suggest that, as the people of Nova Scotia will, by the efflux of time, very soon have an opportunity of expressing their opinion on this question, it would, in deference to their interests, be advisable to postpone a few months longer making independent provision for those services, the effect of which would be to make permanent the large annual loss, which the present



Local Government of that Province have inflicted upon Nova Scotia, by refusing to comply with the law.

All of which is respectfully submitted.

Recommended.

F. HINCKS, *Minister of Finance, Chairman.*

F. HINCKS, *Minister of Finance.*

DEPARTMENT OF SECRETARY OF STATE FOR THE PROVINCES,

9th January, 1871.

SIR,—Referring to your despatch of the 13th ult., I have the honor to enclose (No. 378) herein, for the information of your Executive Council, a copy of an Order 7th January. of his Excellency the Governor General in Council, together with a copy of the report therein referred to, on the subject of the provincial building at Halifax. I have, &c.

JOSEPH HOWE.

Lieutenant-General Sir HASTINGS DOYLE, K.C.M.G.,  
Lieutenant-Governor, Halifax, N. S.

*Telegram.*

HALIFAX, 12th January, 1871.

To the Hon. the Secretary of State for the Provinces :

My Government are very anxious to receive a reply to their last Minute on new provincial building question.

HASTINGS DOYLE.

GOVERNMENT HOUSE, HALIFAX, N. S., 24th January, 1871.

SIR,—I have the honor to acknowledge the receipt of your despatch, No. 11, of the 9th instant, and in reply thereto, to forward a copy of a Minute of my Executive Council, passed on the 18th instant.

I have, &c.

HASTINGS DOYLE.

Hon. the Secretary of State for the Provinces.

*COPY of a Minute of Council passed on the 18th day of January, 1871.*

The Council, in reply to a report of a sub-committee of the Privy Council, in reference to the new provincial building, approved by a Committee of the Privy Council on the 7th instant, submit the following remarks :—

1. The Council are well aware that an Act was passed in 1863 by the then Legislature of Nova Scotia, providing by an issue of provincial notes and borrowing through the savings bank for the purchase of a site and the erection thereon of a building for public purposes. The notes issued and moneys borrowed under that Act having subsequently become chargeable, with interest, to Nova Scotia, in account with Canada, under the British North America Act, 1867.

2. Neither was it necessary to remind the Council that the new provincial building was mainly intended for a Custom house and post office, to which, however, the Committee might have added that the Legislature also contemplated providing accommodation, within its walls, for the Provincial Railway Department, the Crown Land Department and the Provincial Museum.

3. That "Canada," under the 111th section of the British North America Act, "should be liable for the debts and liabilities of each Province, existing at the Union," is frankly conceded, but the Council cannot admit that that clause was intended to include an unfinished structure, which was neither a Custom house, post office, nor public building of any kind, within the meaning of section 108 of the Imperial statute, and that it occupies a widely different position from the Truro and Pictou Railway is evidenced by the fact that the latter was promptly taken possession of by the Dominion Government, on the 1st July, 1867, and no demand was made for the

new provincial building until October, 1870, and after the \$66,385 of the local funds of Nova Scotia had been expended in its completion.

The acceptance of the additional subsidy by the Government and Legislature of Nova Scotia from Canada, under an Act passed in June, 1869, in the opinion of this Council, does not in the slightest degree prejudice the claim of this Province for the repayment of moneys expended from the local treasury since 1st July, 1867, and further, that the said additional subsidy had no relation to the new provincial building is triumphantly borne out by the fact that the increased allowance, both as regards permanent debt and annual subsidy, was based upon the original arrangements with New Brunswick, as is made fully to appear in the correspondence in 1869, between Messrs. Rose, Howe and McLelan.

4. The Council cheerfully leave the matter in controversy between the Dominion and Local Governments to the decision of the people of Nova Scotia, assured that they will appreciate at its full value the liberality of a Government, which, in 1870, provided the following sums for Custom houses, post offices, &c., viz. :—

Montreal, Canada, custom house.....	\$ 200,000
St. John, N.B. do .....	75,000
London, Canada do .....	50,000
Toronto, Canada, warehouse ... ..	10,000
Post offices at Toronto, London and Quebec, Canada....	155,000
	<hr/>
	\$ 490,000

While they persistently refuse to pay \$66,385, about one-third the cost of the building in question, for no better reason than having the money in their hands they can arbitrarily retain it, trusting that the people of Nova Scotia will supinely abandon a just claim which the Government and Legislature of Nova Scotia have, over and over again, expressed their desire to submit to arbitration, or any other equitable mode of settlement.

5. The Council are well aware that the people of this Province will, ere long, have an opportunity of expressing an opinion on this question, and to that tribunal they appeal, with a confidence that may well be envied by bodies of much higher pretensions, who also, by "efflux of time," and possibly at an early day, will be called upon to give an account of their stewardship; but they by no means admit the conclusion at which the sub-committee seem to have arrived, that this Province must, in the event alluded to, either forfeit the \$66,385, justly due on the building, or submit to the arbitrary infliction of a "large annual loss," as the Council have not the least apprehension that the people of Nova Scotia will be reduced to either of the alternatives.

Certified.

W. B. VAIL, *Clerk of Council.*

DEPARTMENT OF SECRETARY OF STATE FOR THE PROVINCES,  
OTTAWA, 1st February, 1871.

SIR,—I have the honor to acknowledge the receipt of your despatch, No. 3, of the 24th ultimo, covering a copy of a Minute of your Executive Council, passed on the 18th ultimo, in reference to the new provincial building in Halifax.

Your despatch and its enclosure will be brought under the early consideration of His Excellency the Governor General.

I have, &c.,

JOSEPH HOWE.

Lieutenant-General Sir HASTINGS DOYLE, Lieutenant-Governor, Halifax.

AUDIT OFFICE, OTTAWA, 7th March, 1871.

SIR,—I have the honor to make a return in answer to that part of the Address of the House of Commons of 27th February, respecting any moneys paid to Nova Scotia over and above the subsidy, as increased by the Act 32 and 33 Victoria, chapter 2.



No payments have been made to Nova Scotia since the passing of the Act, other than for the subsidy and the interest on the excess of the debt thereby recognized over that actually contracted, and for the money voted by Parliament for the expenses of the Confederation delegates in London.

In closing the railway accounts up to Confederation, Nova Scotia has been credited with \$19,913.93 of receipts prior to Confederation, and has been charged \$16,109.74 accounts in the railway books transferred to the Province, and with \$828.22 in rectification of sundry old accounts.

I have the honor to be, your obedient servant,

JOHN LANGTON, *Auditor.*

E. PARENT, Esq., Under Secretary of State.

FINANCE DEPARTMENT, OTTAWA, 22nd June, 1872.

SIR,—Your letter of yesterday's date, addressed to the Hon. Secretary of State for the Provinces, having been transferred to me, as Minister of Finance, I have the honor to state that the Canadian Government, in the despatch to which your letter is a reply, desired to carry out the authority given them by the Supply Bill of last Session. Beyond that Act the Government have no power to go, but they are willing that the arbitration shall put the most liberal construction on the language of the statute. With respect to the stipulation that the Local Government shall retain, at a nominal rent, the use of the rooms now occupied by the Crown Land Department in the building, and as a museum, I have to say that the Government cannot agree to any such stipulation as a necessary preliminary to arbitration; they have no desire to put your Government to any inconvenience, and will agree to allow you to retain the use of the museum and draughting-room during pleasure, but liable to be resumed on six months' notice.

I have, &c.,

F. HINCKS, *Minister of Finance.*

Hon. W. B. VAIL, Ottawa.

GOVERNMENT HOUSE, HALIFAX, N.S., 11th July, 1871.

SIR,—With reference to previous correspondence on the same subject, I have the honor to transmit a copy of a Minute of my Executive Council, in reply to a letter addressed by the Minister of Finance to the Provincial Secretary, while that gentleman was in Ottawa, relative to the proposed arbitration on the disputed right to the new provincial building.

I have the honor to be, Sir, your obedient servant,

HASTINGS DOYLE.

Hon. the Secretary of State for the Provinces.

*COPY of a Minute submitted to the Lieutenant-Governor of Nova Scotia by the Executive Council, dated 10th July, 1871.*

The Council have had under consideration the letter of Sir Francis Hincks, addressed to the Provincial Secretary, under date the 22nd June, and are quite prepared, as they had long desired, to have matter in dispute in relation to the buildings settled by arbitration; but they cannot consent to such submission, except upon the express understanding that the money deducted under the name of interest from the subsidy payable to Nova Scotia shall be paid to the Provincial Government in the event of the award being in favor of the Province.

The Hon. the Finance Minister states, in referring to the resolution, that "beyond that Act the Government have no power to go, but they are willing that the arbitrators should put the most liberal construction on the language of the statute." The Council are informed that before the vote was taken on the resolution Sir Francis Hincks stated most explicitly in Parliament that the amount withheld from the subsidy due Nova Scotia should follow the award. When this point is yielded by the Dominion Government as a preliminary to the arbitration, and they

further agree to the use by the Provincial Government of the museum, and of the room now used as a draughting-room by the Crown Land Department, the Provincial Government will be prepared to accede to the request of Sir Francis Hincks, in his letter of the 27th April, addressed to His Excellency the Governor General, approved in Council on the 18th April, 1871, and appoint an arbitrator to act with one to be named by the Dominion Government; and when the umpire has been agreed upon, and the three arbitrators have consented to act and to decide within six months of the date of their appointment, the building shall then be made available for the purposes indicated in the resolution.

WILLIAM ANNAND,  
W. B. VAIL,  
HENRY W. SMITH,  
WILLIAM GARVIE,  
C. P. FLYNN,  
JOHN FERGUSSON,  
ROBT. ROBERTSON.

HALIFAX, 10th July, 1871.

OFFICE OF SECRETARY OF STATE FOR THE PROVINCES,  
OTTAWA, 15th July, 1871.

SIR,—I have the honor to acknowledge the receipt of your despatch, No 24, of the 11th inst., transmitting, with reference to previous correspondence on the subject, a copy of a Minute of your Executive Council, relative to the proposed arbitration on the disputed right to the new provincial building.

I have, &c.,  
JOSEPH HOWE.

Lieutenant-General Sir HASTINGS DOYLE, K.C.M.G.,  
Lieutenant Governor, Halifax.

On the Minute of the Hon. the Executive Council of the Province of Nova Scotia, transmitted in the despatch of His Excellency Sir Hastings Doyle, dated the 11th inst., the undersigned has the honor to report that it has already been clearly explained to the Government of Nova Scotia that it is not in the power of the Dominion Government to agree to pay to Nova Scotia any sum beyond that voted by Parliament. In explaining to Mr. Vail, as the undersigned did, in his letter of the 22nd ult., that the Dominion Government was willing that the arbitrators should put the most liberal construction on the language of the statute, the object was to leave the arbitrators as unfettered as possible in their deliberations on all claims in relation to the new provincial building submitted by the Government of Nova Scotia, whether covered by the vote of Parliament or not. Should the arbitrators award Nova Scotia any amount beyond the parliamentary vote, it obviously could only be paid after the sanction of Parliament had been obtained; that with regard to the joint occupation of the building by the two Governments, the Minister of Finance can only express his regret that the proposal made in his letter of the 22nd June should not be considered satisfactory. It seems impossible that the Dominion Government can give a right of occupation to the Nova Scotian Government to any part of the building; and as no compensation is to be given for the rooms claimed, and as no claim to these rooms was made until recently, the undersigned cannot but regret that such an obstacle should be interposed to a settlement of the question in controversy between the two Governments. The undersigned feels bound to notice the assertion in the Minute of the Executive Council of Nova Scotia that "Sir Francis Hincks stated most explicitly in Parliament that the amount withheld from the subsidy due Nova Scotia should follow the award." The undersigned must express his surprise and regret that the Executive Council of Nova Scotia should have inserted such a statement, on no authority beyond "the Council are informed." When the Hon. Mr. Vail, who visited Ottawa, with a view to the settlement of the matter in controversy, was aware that he (Sir Francis Hincks) denied the accuracy of the report



which Mr. Vail informed him was founded on a telegraphic message from Mr. Jones, the member for Halifax, which message, when produced by Mr. Vail, did not bear out, in the opinion of the undersigned, the construction placed upon it. The undersigned has taken pains to ascertain the opinion of gentlemen on both sides of the House present at the discussion, which have confirmed him in his own opinion, that he could not have stated what it is alleged in the Minute of the Executive Council he did state, but he may point out that it is quite unnecessary to enter on a controversial discussion of what he actually did say, as he had no authority whatever to commit the Dominion Government to pay one dollar beyond what was sanctioned by Parliament. The whole is respectfully submitted.

F. HINCKS, *Minister of Finance.*

29th July, 1871.

*Copy of a Report of a Committee of the Honorable the Privy Council, approved by His Excellency the Governor General in Council on 31st July, 1871.*

On the Minute of the Hon. the Executive Council of the Province of Nova Scotia, transmitted in the despatch of His Excellency Sir Hastings Doyle, dated the 11th instant, on claims in relation to the new provincial building, submitted by the Government of Nova Scotia.

The Hon. the Minister of Finance, to whom said Minute was referred, reports that it had already been clearly explained to the Government of Nova Scotia that it is not in the power of the Dominion Government to agree to pay to Nova Scotia any sum beyond that voted by Parliament. In explaining to Mr. Vail, as he, the Minister of Finance did, in his letter of the 22nd ult., that the Dominion Government was willing that the arbitrators should put the most liberal construction on the language of the statute, the object was to leave the arbitrators as unfettered as possible in their deliberations on all claims in relation to the new provincial building submitted by the Government of Nova Scotia, whether covered by the vote of Parliament or not.

That should the arbitrators award Nova Scotia any amount beyond the parliamentary vote, it obviously could only be paid after the sanction of Parliament had been obtained; that with regard to the joint occupation of the building by the two Governments, the Minister of Finance can only express his regret that the proposal made in his letter of the 22nd June should not be considered satisfactory. That it seems impossible that the Dominion Government can give a right of occupation to the Nova Scotian Government to any part of the building, and as no compensation is to be given for the rooms claimed, and as no claim to those rooms was made until recently, the Minister of Finance stated that he cannot but regret that such an obstacle should be interposed to a settlement of the question in controversy between the two Governments. That he feels bound to notice the assertion in the Minute of the Executive Council of Nova Scotia, that, "Sir Francis Hincks stated most explicitly in Parliament that the amount withheld from the subsidy due Nova Scotia should follow the award;" that he must express his surprise and regret that the Executive Council of Nova Scotia should have inserted such a statement, on no other authority beyond "the Council are informed," when the Hon. Mr. Vail, who visited Ottawa, with a view to the settlement of the matter in controversy, was aware that he, Sir Francis Hincks, denied the accuracy of the report which Mr. Vail informed him was founded on a telegraphic message from Mr. Jones, the member for Halifax, which message, when produced by Mr. Vail, did not bear out, in the opinion of the undersigned, the construction placed upon it. That he, the Minister of Finance, had taken pains to ascertain the opinions of gentlemen on both sides of the House present at the discussion, which have confirmed him in his own opinion, that he could not have stated what it is alleged in the Minute of the Executive Council he did state, but he adds he may point out that it is quite unnecessary to enter on a controversial discussion of what he actually did say, as he had no authority whatever to commit the Dominion Government to pay one dollar beyond what was sanctioned by Parliament.

The Committee concur in the report of the Minister of Finance, and submit the same for Your Excellency's approval, and if sanctioned, they suggest that a copy of this Order in Council be transmitted to the Lieutenant-Governor of Nova Scotia.

Certified.

W. H. LEE, *Clerk Privy Council.*

OFFICE, SECRETARY OF STATE FOR THE PROVINCES,  
OTTAWA, 4th August, 1871.

SIR,—Adverting to your despatch No. 24, of the 11th ult., and to previous correspondence on the subject, I have the honor to transmit to you herewith, for the information of your Government, a copy of an Order of His Excellency the Governor General in Council, on the Minute of your Executive Council, a copy of which accompanied your despatch, on claims in relation to the new provincial building submitted by the Government of Nova Scotia.

I have, &c.,

JOSEPH HOWE.

Lieutenant-General Sir HASTINGS DOYLE, K.C.M.G.,  
Lieutenant-Governor, Halifax.

GOVERNMENT HOUSE, HALIFAX, N.S., 31st August, 1871.

SIR,—I have the honor to transmit to you a copy of a Minute of my Executive Council, dated 24th August, concerning the new provincial building, in reply to the Minute of the Privy Council of Canada, which was transmitted to me in your despatch of the 4th instant.

At the request of my Government, I submitted a copy of this Minute to the Finance Minister of Canada, who was at this time staying here. The reply which Sir Francis Hincks made to that Minute will be more properly communicated to His Excellency the Governor General through another channel; yet, in order that this correspondence may be complete, I transmit a copy of it herewith.

To this memorandum my Council made a reply, a copy of which is also enclosed, marked C, and the last document, marked D, is a copy of an agreement made after further negotiations, and signed in duplicate by Sir Francis Hincks, on behalf of the Dominion Government, and by the hon. gentleman whom each Government has nominated as arbitrator, and also providing for the appointment of an umpire, should the two arbitrators be unable to agree upon any person for that position.

I have much pleasure in requesting you to submit to His Excellency the Governor General these several documents, which I trust may be considered as finally bringing to a close a controversy that has already been prolonged to an inordinate length, and as providing for the satisfactory adjustment of a difficulty that has for some time caused embarrassment to the two Governments interested in this question.

I have the honor to be, Sir, your obedient servant,

HASTINGS DOYLE.

*COPY of a Minute of Council passed the 24th day of August, 1871.*

(A.)

The Council have had under consideration the report of a Committee of the Hon. the Privy Council of the Dominion of Canada, dated at Ottawa, the 31st day of July, 1871, in reference to the Minute of this Council on the subject of the new provincial building at Halifax.

In reply to that report, the Council feel called upon to make the following observations:—

The report does not, in itself, appear to explain so fully and so clearly as the Council could wish the precise range of arbitration, especially on financial matters, relative to the new provincial building, to which the Government at Ottawa assents. It is with a sincere and earnest desire for the speedy settlement of this question that the Council now requests a more explicit statement.



In the report referred to occurs the following paragraph:—

“In explaining to Mr. Vail, as he, the Minister of Finance did, in his letter of the 22nd ult., that the Dominion Government was willing that the arbitrators should put the most liberal construction on the language of the statute, the object was to leave the arbitrators as unfettered as possible in their deliberations on all claims in relation to the new provincial buildings submitted to the Government of Nova Scotia, whether covered by the vote of Parliament or not.”

The Council hope that they are warranted in believing that the Dominion Government are prepared to submit “all claims,” financial or otherwise, so entirely and absolutely to the proposed arbitrators, that in the event of an award authorizing the payment to Nova Scotia for a sum larger than the amount mentioned in the resolution passed by the House of Commons last Session, the Dominion Government will not only accept such award, but will also take the necessary steps to make it effectual, by obtaining from the Dominion Parliament any such excess over the amount already voted, and making early payment of the same to the Government of Nova Scotia.

If this is clearly understood, the Council will feel warranted in expecting, with satisfaction, the immediate commencement of the arbitration, and speedy disposal of this question.

As regards the references, at the close of the report, to statements alleged to have been made by the Hon. the Provincial Secretary of Nova Scotia, while recently at Ottawa, the Council regret that references are considered desirable, as the Hon. the Secretary informs the Council that he certainly did not make such statements, and that these could only be attributed to him through some unaccountable mistake, for which he is not responsible.

The Council trust no matters of this kind may be introduced to interfere with the early settlement of the new provincial building question, which would be not only just to Nova Scotia, but in any case beneficial to the public interest at large.

Certified.

W. B. VAIL, *Clerk of Council.*

(B.)

The undersigned, Minister of Finance, having had communication of a Minute of Council, passed on the 24th instant by the Lieutenant-Governor and Executive Council of Nova Scotia, has the honor to submit the following observations thereon:—

The undersigned begs most cordially to respond to the expression in the Minute of a sincere and earnest desire for the speedy settlement of the question in controversy with regard to the new provincial building, between the Government of the Dominion and the Government of Nova Scotia. He has no hesitation in assuring the Government of Nova Scotia that in consenting that all money claims, whether relating to the said building, which have been preferred by the Government of Nova Scotia, including not only the sum named in the resolution of the House of Commons, but also the amount deducted by the Dominion Government from the Nova Scotia subsidy, should be referred to arbitration, it was intended by the Dominion Government to give full effect to the award of the arbitrators, to whom these claims are to be referred, with as little delay as the possible necessity of a reference to Parliament may cause. The undersigned trusts that, if he calls attention to a word in the Minute which he thinks susceptible of a construction that might lead to misunderstanding, his doing so will be attributed solely to an anxious desire to avoid the possibility of such misunderstanding. The word is “otherwise.” As the only claims which the undersigned feels that he has any authority to deal with are “financial,” he hopes that such claims alone are contemplated by the Minute of Council as subjects of reference. With regard to the reference to the conversation which took place at Ottawa, between the Hon. Mr. Vail and himself, the undersigned has to express his regret that, through inadvertence, he stated in his report to the Privy Council that Mr. Vail had stated that the telegram—a copy of which he showed to the undersigned—was sent to Mr. Jones, M.P. for Halifax. This the undersigned

admits was a mistake. He had a distinct recollection of being shown the telegram, but it was from others, and not from Mr. Vail, that he learned that it had been sent Mr. Jones. The undersigned has no doubt now that this was a mistake, and he therefore regrets that Mr. Jones' name was introduced into the Minute, and more especially that Mr. Vail should have been given as an authority.

The undersigned responds to the desire expressed in the Minute of Council, that no matter of this kind should be allowed to interfere with the early settlement of the provincial building question.

FRANCIS HINCKS.

HALIFAX, 24th August, 1871.

*COPY of a Minute of Council passed the 25th day of August, 1871:*

The Council have had under consideration a communication from the Minister of Finance, dated 24th August, on behalf of the Privy Council of the Dominion of Canada, in reference to a Minute of this Council, bearing the same date, on the subject of the new provincial building controversy between the Dominion and Nova Scotia Governments.

The Council recognizes with satisfaction the complete concession of that comprehensive basis and scope of arbitration which the Government of Nova Scotia have always felt it their duty to require.

In view of the ready and unqualified assent to the claims of this Government given in the Hon. Finance Minister's communication, the Council feel now that the negotiations on this subject are so far satisfactorily advanced that the appointment of arbitrators between the two Governments comes up for immediate consideration, and the Council therefore trust that they may hear from the Government at Ottawa as soon as possible on this point.

As regards the distinction made in the communication between claims financial and otherwise, the Council have to state that they do not mean to embarrass the final settlement of the question by pressing any other claims than those already now included in the basis of arbitration by mutual consent.

The Council gladly receive the personal explanations of the Hon. Finance Minister, and are gratified at the renewed assurance of a desire to end the new provincial building controversy early, equitable and on its own merits.

Certified.

W. B. VAIL, *Provincial Secretary and Clerk of Council.*

(D.)

*MEMORANDUM of a Conference between Sir Francis Hincks, Finance Minister of Canada, representing the Dominion Government, and the Executive Council of Nova Scotia, on the New Provincial Building question.*

It is agreed that the new provincial building question be submitted immediately to the following gentlemen as arbitrators:—

John Boyd, Esq., of St. John, N.B., representing the Dominion Government.

James Duffus, Esq., Halifax, representing the Government of Nova Scotia.

It is agreed that the preliminary duty of the arbitrators now appointed shall be the choice of an umpire, and the two Governments shall agree to and accept whatever selection these arbitrators shall make.

It is further agreed that in the event of the arbitrators being unable to unite in the selection of an umpire, the two Governments, unless some subsequent agreement is made between them, shall take up the names of John Liversey, Esq., of Londonderry, N.S., and W. R. I. Clinch, telegraph superintendent, of St. John, and shall choose one of those named by lot, and that the gentleman so selected shall be considered and accepted by the Government as umpire between the arbitrators on this question.

Dated at Halifax, N.S., 30th August, 1871,

Signed in duplicate, on behalf of the Government of the Dominion of Canada,

F. HINCKS.

W. B. VAIL, *Provincial Secretary.*



GOVERNMENT HOUSE, HALIFAX, 13th November, 1871.

SIR,—I have the honor to state, for the information of His Excellency the Governor General, that the three arbitrators to whom the dispute in reference to the new provincial building was, by consent of the Dominion and Provincial Governments referred, met in this city on the 8th, 9th, 10th and 11th days of this month, and that having heard arguments and statements on both sides of the question at issue, they, on Saturday last, agreed upon an award, of which I now have the honor to enclose a certified copy.

I have, &c.,

HASTINGS DOYLE.

Hon. the Secretary of State for the Provinces.

The arbitrators appointed by the Government of the Dominion of Canada, and the Government of the Province of Nova Scotia, under the terms of agreement entered into between Sir Francis Hincks, of the one part, and Hon. W. B. Vail, of the other part, for the purpose of taking into consideration "all money claims whatever, relating to the new provincial building, which have been preferred by the Government of Nova Scotia, including not only the sum named in the resolution of the House of Commons, but also the amounts deducted by the Dominion Government from the Nova Scotia subsidy."

Having been in the city of Halifax, in the Province of Nova Scotia, on the 8th and three following days of this present month of November, and having heard the very able arguments of counsel, the Hon. William Garvie, for Nova Scotia, and W. H. Tuck, Esq., for the Dominion, the arbitrators, looking at the wide scope granted them under the above authority from Sir Francis Hincks, for and on behalf of the Dominion Government, to take into consideration a large and generous view of the financial position of the new provincial building, have preferred to ignore the claim made for sixty thousand three hundred and eighty-five dollars, and the withheld amount of subsidy, and to base their decision on the claim for joint ownership and occupation of the building as well as for other claims which have been presented, and as it has been clearly shown that a portion of the building was intended for Departments connected with the Local Government, and also a Provincial Museum, &c., they are therefore of opinion that allowance should be made for this portion of the building as though it had been separate and distinct (in which case it would have been handed over to the Local Government without question), and they therefore adjudge that the Dominion Government do pay to the Local Government \$70,000 the sum of seventy thousand dollars as the value of such portion of the building, and a further sum of ten thousand dollars for interest on the same to date, and that this be in full of all demands of the Local Government upon the Dominion Government for the provincial building, so called.

The arbitrators indulge the hope that the harmony and good feeling which prevailed in all their deliberations may be extended throughout the entire Province, and that the settlement of the dispute will lead to a harmonious working of the Governments, both local and general.

The fees to follow the award.

Dated in Halifax, Nova Scotia, the 11th day of November, in the year of our Lord one thousand eight hundred and seventy-one.

JOHN BOYD, *for Dominion of Canada.*

JAMES B. DUFFUS, *for Province of Nova Scotia.*

Fees..... \$4,000

I fully concur in the above award.

WILLIAM HEARD, *Umpire.*

A true copy.

W. B. VAIL, *Provincial Secretary.*

## EXPENSES CRIMINAL JUSTICE.

GOVERNMENT HOUSE, HALIFAX, N.S., 18th October, 1873.

SIR,—At the request of my Government, I have the honor to enclose you, for the information of His Excellency the Governor General, a copy of a resolution of the House of Assembly, adopted on the 3rd day of April last, on the subject of the expenses of criminal prosecutions; and I shall be glad to receive, at an early date, so as to submit to the members of my Government before the opening of the next Session of the Legislature, the views of His Excellency on the subject matter of the resolution.

I have, &amp;c.,

ADAMS G. ARCHIBALD, *Lieutenant-Governor.*

Hon. the Secretary of State, Ottawa.

*Copy of a Resolution passed by the House of Assembly on the 3rd day of April, 1873.*

Whereas section 91 of the British North America Act very clearly defines the various subjects over which the general legislation of the Dominion has control, and the 27th sub-clause thereof confers exclusive authority on such Dominion Parliament over "the criminal laws, except the constitution of criminal jurisdiction, but including the procedure on criminal matters;"

And whereas the Dominion Legislature has, since such Act came into operation, assumed the legislative control over all enactments touching our criminal jurisprudence, and have both claimed and exercised the right to appoint counsel to prosecute criminals on behalf of Her Majesty in this Province;

And whereas a large sum of money has been paid since the 1st day of July, 1867, out of our civil revenue for such prosecutions:

Therefore, Resolved, That this House, entertaining the opinion that the expense of conducting criminal prosecutions should be defrayed out of the general and not from the local exchequer, request the Government to immediately bring the matter to the notice of the proper authorities at Ottawa, and to require that adequate provision should be made for the maintenance of this important public service; and that the amount already paid therefor by the Local Government, since the 1st day of July, 1867, be refunded to this Province.

DEPARTMENT OF THE SECRETARY OF STATE,

OTTAWA, 24th October, 1873.

SIR,—I have the honor to acknowledge the receipt of your despatch, No. 30, of the 18th instant, covering a copy of a resolution of the House of Assembly of the Province of Nova Scotia, adopted on the 3rd of April last, on the subject of the expenses of criminal justice.

Your despatch and its inclosure will be submitted for the early consideration of His Excellency the Governor General in Council.

I have, &amp;c.,

J. C. AIKINS, *Secretary of State.*

His Honor the Lieutenant Governor, Nova Scotia.

## PUBLIC DEBT.

GOVERNMENT HOUSE, HALIFAX, 10th November, 1873.

SIR,—At the request of my Government, I have the honor to enclose a copy of a Minute of Council, passed on the 8th inst., in reference to the public debt of this Province, and to request that you will lay the same before His Excellency the Governor General.

I have, &amp;c.,

ADAMS G. ARCHIBALD, *Lieutenant-Governor.*

The Hon. the Secretary of State, Ottawa.



*Copy of a Minute of Council passed the 8th day of November, 1873.*

The Provincial Secretary having called the attention of the Council to the Act passed by the Dominion Parliament in 1873 for re-adjusting the amount payable to and chargeable against the several Provinces of Canada, and the subsidy account from John Langton, Esq., Auditor-General, based on said Act, whereby the public debt of Nova Scotia is increased \$158,024, instead of \$1,400,000, or thereabout, as was evidently intended when said re-adjustment was made, it is ordered that this matter be immediately brought to the notice of the Dominion Government, with a request that the necessary steps be taken to remedy this defect in the statute, which, the Council have no doubt, occurred through inadvertence, and not from any desire to deprive the Province of Nova Scotia of the advantage of the increase in the debt by the Act of 1869.

*Copy of a Report of a Committee of the Honorable the Privy Council, approved by His Excellency the Governor General in Council on the 29th December, 1873.*

The Committee of Council have had under consideration the despatch, No. 37, of the 10th November, 1873, from the Lieutenant-Governor of Nova Scotia, enclosing a copy of a Minute of his Executive Council, passed on the 8th of that month, calling attention to the Act passed by the Dominion Parliament in 1873, for re-adjusting the amount payable to and chargeable against the several Provinces of Canada, and the subsidy account from the Auditor-General, based on the said Act, whereby the public debt of Nova Scotia is increased \$158,024, instead of \$1,400,000, or thereabouts, as was evidently intended when said re-adjustment was made.

The Hon. the Minister of Justice, to whom the above despatch and enclosure and report of the Auditor thereon was referred, reports:—

That by the Act of 1869, 32 and 33 Vic., cap. 2, the amount of the debt which Nova Scotia was allowed by the 114th section of "The British North America Act, 1867," was increased from \$8,000,000 to \$9,186,756.

That in 1873, by the Act 36th Vic., cap. 30, the debt of the late Province of Canada, mentioned in the 112th section of "The British North America Act, 1867," was increased from \$62,500,000 to \$73,006,088.84, and the debt of Nova Scotia was again increased in the same proportion as the debt of the Province of Canada was increased, such increase to be calculated, however, on the amount mentioned in "The British North America Act, 1867," to wit: on the sum of \$8,000,000, and not on that of \$9,186,756, mentioned in the Act of 1869.

That this last increase was made by the Act of 1873, without any reference to that made by the Act of 1869, and without any express or implied repeal of that Act.

That under these provisions Nova Scotia is entitled to claim the increase made by both Acts, and to have its debt calculated by adding to the \$8,000,000 mentioned in "The British North America Act, 1867," the increase made by the Act of 1873, and also the sum of \$1,186,756, the amount of the increase made by the Act of 1869.

The Committee concur in the foregoing report, and submit the same for Your Excellency's approval.

Certified.

W. A. HIMSWORTH, *Clerk Privy Council.*

#### SUBSIDY.

GOVERNMENT HOUSE, HALIFAX, N.S., 8th April, 1874.

SIR,—I have the honor, by request of my Government, to transmit to you the enclosed copy of a resolution passed by the House of Assembly on the 20th day of March, last,\* in reference to the public debt of the Province, and to request that you will have the goodness to lay the same before the Governor General in Council.

I have, &c.,

A. G. ARCHIBALD, *Lieutenant-Governor.*

Hon. the Secretary of State, Ottawa.

\* See Journals 1874, pages 16 and 17.

## DEPARTMENT OF THE SECRETARY OF STATE, OTTAWA, 30th May, 1874.

SIR,—Referring to your despatch, No. 19, of the 8th ultimo, transmitting a copy of a resolution of the House of Assembly, dated 30th March last, in reference to the public debt of the Province of Nova Scotia, I have the honor to inform you that this resolution has been acted upon by the passage of an Act in the last Session of the Dominion Parliament, a certified copy of which is herewith enclosed.

I have, &c.,

EDOUARD J. LANGEVIN, *Under Secretary of State.*

His Honor the Lieutenant-Governor of Nova Scotia.

An Act to declare the intention of the Act thirty-six Victoria, chapter thirty, as regards the subsidy to be allowed to Nova Scotia.

Whereas doubts have arisen under the first section of the Act thirty-six Victoria, chapter thirty, intituled, "An Act to re-adjust the amounts payable to and chargeable against the several Provinces of Canada, by the Dominion Government, so far as they depend on the debt with which they respectively entered the Union," as to whether the increased subsidy to be allowed to the Province of Nova Scotia under said Act should be based on the sum of eight million dollars mentioned in the one hundred and fourteenth section of the "British North America Act, 1867," or on the sum of nine million one hundred and eighty-six thousand seven hundred and fifty-six dollars, to which the said sum of eight million dollars was increased by the Act thirty-second and thirty-third Victoria, chapter two, intituled, "An Act respecting Nova Scotia;" for the removal of such doubts, Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, declares and enacts as follows:—

1. It was and is the intention of the Act first mentioned (thirty-sixth Victoria, chapter thirty) that the increased subsidy to be allowed to the Province of Nova Scotia under the said Act should be based upon the said sum of nine million one hundred and eighty-six thousand seven hundred and fifty-six dollars, as if that sum had been mentioned in the one hundred and fourteenth section of the "British North America Act, 1867," instead of the said sum of eight million dollars.

The foregoing is a true copy of the original Act.

ROBERT LEMOINE, *Clerk of Parliament.*

## ADDITIONAL SUBSIDY.

PROVINCIAL SECRETARY'S OFFICE, HALIFAX, N.S., 18th January, 1877.

SIR,—Adverting to the conversation which I had with you, when in Ottawa, in May last, I have now the honor to call your attention to the following statements in connection with the financial condition of this Province, and the necessity arising therefrom for a continuance of the subsidy of \$82,698, granted by the Act of the Dominion Legislature, 32 Vic., cap. 2, for a period of ten years from 1st July, 1867, and consequently expiring on the 1st July, 1877.

The grounds on which the concessions made to Nova Scotia at that time were based are fully stated and elaborated with great care in the correspondence which then took place, and which is to be found in the Sessional Papers of the Provincial Legislature, as well as in the Journals of the Provincial Legislature, as for the year 1869. It will be unnecessary to recapitulate the arguments adduced on behalf of the claims of Nova Scotia on that occasion, or to refer to them in any extended remarks; it will be sufficient to observe that, except as permanently remedied by those negotiations and the provisions of the Act referred to, the grounds on which the concessions were made are as substantial and the arguments as powerful as they were in 1869. If it were just to the people of Nova Scotia, in 1869, to readjust the debt with which she was to enter the Union, and to increase her annual subsidy, it is equally just at the present moment. The amount at which the debt of this Province was fixed was of a permanent nature, and therefore, for the purpose of my present argument, I may dismiss it from further consideration at present. The limitation, however, of the



continuance of the additional subsidy to a period of ten years, being of a temporary nature, rests on a different basis, and, as I shall proceed to show, ought, in justice to the claims of Nova Scotia, to be placed on an equally permanent foundation with the debt of the Province.

The grounds on which the concessions, popularly known as the "better terms," were sought, are ably presented by Messrs. Howe and McLelan on behalf of Nova Scotia, under the several heads of Assets, Public Buildings, Province Notes, Savings Bank, Stores, Difference in Currency and Increased Taxation.

The Minister of Finance, Sir John Rose, in his report on the case of Messrs. Howe and McLelan, dated 24th January, 1869, after commenting on the first six of the above heads, observes, of the seventh, that its discussion involves a consideration of the whole case of Nova Scotia; and he then proceeds to use the following significant language: "The undersigned is not insensible to the arguments which were verbally pressed, that the two smaller Provinces (Nova Scotia and New Brunswick) are, in some respects, placed at a disadvantage as compared with the larger ones; that the cost of their Local Government must necessarily be more per head; that the resources of Nova Scotia are as yet comparatively undeveloped; that the coal trade, on which she depends for a considerable portion of her local revenue, is in a condition of unusual depression; and the physical character of the country entails on her a larger expenditure to secure the necessary means of communication than the other Provinces have to meet."

Every statement thus made by Sir John Rose is as true to-day as it was when written by him, and the inferences from them of the justice of Nova Scotia's claim are as irresistible now as then. In effect, the whole argument turned upon the question whether, with the means then at her command, the Government of the Province could be carried on. And with this idea evidently pressing upon his mind, as involving the whole case, the Minister of Finance closes his report in the following words, to which I would especially call attention: "The undersigned would add, in conclusion, that he has carefully analysed the estimated local expenditure of Nova Scotia for the years 1868 and 1869, in conjunction with the gentlemen representing that Province, and he believes that if the arrangements proposed are carried out, Nova Scotia will have sufficient means at her disposal to meet those services which devolve upon her by the terms of the Union Act, provided they are placed on a moderate but efficient footing. If, on the contrary, the Province has to depend on the provision made by the existing terms of the Union Act, no inconsiderable deficiency must be met by the imposition of direct taxation."

Should the additional subsidy of \$82,698, granted to avert the alternative to which Sir John Rose refers, be withdrawn, Nova Scotia will then be compelled to face that alternative, with all its consequences. It was given as a reason for making the grants to New Brunswick and Nova Scotia for the term of ten years that they were to be made "pending the increase of the population and the material development of the local resources." If, then, it can be shown that the lapse of ten years has brought us no such increase of population as to entitle us to any considerable increase of subsidy, nor any expansion of our revenue arising from the development of our local resources, our claim for additional subsidy revives with all the force it possessed in 1869.

The population of Nova Scotia, by the census of 1861, was 330,857, on which number, as a basis, the subsidy, exclusive of the sum of \$60,000 allowed for the purposes of Government, was \$264,685.60. By the following census the population had increased to 387,800, on which basis the subsidy (also exclusive of the \$60,000 for Government purposes) amounted to \$310,240, being an increase of \$45,554.40.

The annual revenue derived from Crown lands, royalties on coal, &c., was assumed in the negotiations on the subject, from an average of  $3\frac{1}{2}$  years, to be \$122,739, as will be found in Schedule No. 2, Appendix No. 1, in the Journals of the House for the year 1869; and this average will be found, on reference to the financial returns for the years referred to, to be correct.

How far the expected "material development of our local resources" has been realized may be seen from the returns into the provincial treasury from these sources during the past three years:—

In 1874 the amount received from Crown lands was.	\$ 25,438 50
In 1874 do royalties was.....	90,893 42
	<u>\$116,381 92</u>
In 1875 the amount received from Crown lands was.	\$ 9,676 33
In 1875 do royalties was.....	62,017 28
	<u>\$ 71,693 61</u>
In 1876 the amount received from Crown lands was.	\$ 6,635 85
In 1876 do royalties was.....	60,036 76
	<u>\$ 66,672 61</u>

This gives an average, for the three years, of \$84,899, or a diminution of \$37,840 per annum.

The permanent increase to the subsidy arising from increase of population was, as I have shown, \$45,554.40.

If from this we deduct the decrease in the revenue derivable from local resources of \$37,840, we have the sum of \$7,714.40 as the amount of permanent benefit Nova Scotia has derived from the settlement effected in 1869; if, indeed, it may be called permanent. There are no present indications that any revival in the export of coal, from which the great bulk of the royalties arise, will take place during the coming year, while the demand for Crown lands has almost disappeared; we may, therefore, rather anticipate a falling off in the receipts from these sources than any increase. I do not shut out of sight the benefit which Nova Scotia derived from the increase in the amount of the debt; the interest thereon, of which we have been deriving the benefit up to the present time, has formed a material augmentation of our revenue, but the principal from which that interest accrued has been appropriated by the Local Legislature to aid in the construction of several important lines of railway, and, of course, as payments are made, from time to time, on account of such railways, the amount receivable by the Province for interest diminishes *pro tanto*; and as the whole amount of the principal has been pledged by various Acts for similar purposes, the process of diminution in the receipt of interest will proceed steadily, until, in a short time, this source of income will be extinguished. We cannot, therefore, take this into consideration as a source of permanent revenue or benefit to the resources of Nova Scotia resulting from the settlement in 1869.

It is true that it may be argued that the expenditure of this sum was a voluntary act on the part of the Legislature of this Province; but it will be remembered that the increase of the debt was, to a large extent, based on the outlay for public works by the other Provinces, whose debts were similarly increased, and that it was generally understood and admitted that the amount was to be subject to the appropriation of the Legislature for the promotion and extension of the railways and other public works of the Province.

It is also to be borne in mind that if, through the expenditure of this fund and the increased impetus thereby given to the growth of the Province, its trade should expand and additional population be attracted to its shores (who will necessarily be large consumers of dutiable articles), the benefit resulting therefrom will accrue, not to the local but to the Dominion treasury.

I have thus shown that the revenue of the Province has not increased, as the Minister of Finance, in 1869, assumed that it would, and that consequently we are brought face to face with the difficulty which he then frankly admitted "would result from the provision made by the existing terms of the Union Act, that no inconsiderable deficiency must be met by the imposition of direct taxation."

It is true that by the 5th section of the Dominion Act, 22 Vic., chap. 2, it is declared that the grants and provisions made by that Act and the British North America Act, 1867, shall be in full settlement of all demands on Canada by Nova



Scotia; but this clearly partakes of the nature of an agreement, and I have shown that the expectations on which that agreement was based have, through circumstances beyond control and wholly unlooked for by either party, never been fulfilled, and I cannot suppose that the Government of the Dominion, under such circumstances, would rigorously exact a strict literal compliance with the letter of the agreement; I rather indulge the hope that the urgent claims of Nova Scotia will be met in a generous spirit, and that the additional subsidy of \$82,698 may be made permanent, or continued for at least another term of ten years, during which period the anticipations indulged in 1869 may, to some extent, perhaps, be realized.

I have the honor to be, Sir, your obedient servant,

P. C. HILL.

The Hon. ALEXANDER MACKENZIE, Minister of Public Works, Ottawa.

OFFICE OF THE MINISTER OF PUBLIC WORKS, CANADA,

OTTAWA, 29th January, 1877.

SIR,—I have the honor to acknowledge receipt of your letter of 22nd January, with reference to the finances of the Province of Nova Scotia, and asking that the additional subsidy of \$82,698 may be made permanent, or continued at least another term of ten years.

I shall transmit your letter to the Minister of Finance, with a request to answer it at his earliest convenience. I may say, however, as I said to you on a former occasion, that there is only one method by which your request can be acceded to, and that is a *pro rata* payment to be made to all the other Provinces at the same time. This, I need not say, is utterly impossible, in the present financial condition of the country. It is now quite out of our power to execute many works in the various Provinces which are more or less pressing, in consequence of the large amount of subsidy already paid to the Provinces, leaving so little money at the disposal of the General Government. To go any further in the direction you indicate would simply make the Dominion Government the collectors of revenue for the Province. The proposition, fairly carried out, means an addition of at least \$17,000,000 to the national debt, and the burden consequent upon such an addition to the obligations of the country.

I have the honor to be, Sir, your obedient servant,

A. MACKENZIE.

Hon. P. CARTERET HILL, Halifax, N. S.

GOVERNMENT HOUSE, HALIFAX, N.S., 17th February, 1877.

SIR,—I am directed by His Honor the Lieutenant-Governor to transmit to you, for the information of the Government, the enclosed copies of a despatch from the Minister of Finance, on the subject of the annual grant of \$82,698, contained therein.

I have the honor to be, Sir, your obedient servant,

JOHN HICKS, *Private Secretary*.

Hon. the Provincial Secretary, &c., &c.

DEPARTMENT OF THE SECRETARY OF STATE,

OTTAWA, 14th February, 1877.

SIR,—I have the honor to transmit to you herewith, copy of an Order in Council, dated 13th instant, on the subject of the discontinuance of the special grant of \$82,698, to the Province of Nova Scotia, together with a copy of the memorandum of the Hon. the Minister of Finance on the subject.

I have, &c.,

R. W. SCOTT.

His Honor Lieutenant-Governor of Nova Scotia, Halifax, N. S.

*Copy of a Report of a Committee of the Honorable the Privy Council, approved by His Excellency the Governor General in Council on the 13th February, 1877.*

The Committee of the Privy Council have had before them the memorandum hereunto annexed from the Hon. the Minister of Finance, to whom was referred the application of the Government of the Province of Nova Scotia for the renewal of

the special grant of \$82,698.00, made to that Province at or shortly after the period of its entering Confederation, which grant will expire on the 1st July next, and they respectfully request their concurrence therein, and accordingly advise that no addition be made to the fixed annual charges now existing by a continuance of the sum asked for.

The Committee advise that a copy of this Minute and memorandum be transmitted to the Government of Nova Scotia.

Certified.

W. A. HIMSWORTH.

MEMORANDUM.—The Minister of Finance, to whom has been referred the application of the Government of Nova Scotia for the renewal of the special grant of \$82,698.00, made to that Province at or shortly after the period of its entering Confederation, which grant will expire on the 1st July next, begs leave to observe:—

1. That since the original grant of this allowance the position of Nova Scotia has been materially changed, as regards the older Provinces, by the Act of 1869, when an addition of \$1,186,756 was made to the debt with which Nova Scotia was allowed to enter the Union.

2. That there is now paid out of the Dominion exchequer an amount of \$450,000 to Nova Scotia (with a population, as shown by the census of 1871, of 387,800), exclusive of the special grant now about to lapse.

3. Deducting from this sum the interest allowed on debt not yet drawn, the amount received by Nova Scotia is \$370,240, which will continue to augment until the population reaches the number of 400,000 souls; whereas Ontario, with a population of 1,620,851, only receives \$1,196,872, and Quebec, with a population of 1,191,516, only receives \$959,252. The Province of Nova Scotia is therefore in receipt of a larger sum, according to population, than either of the two larger Provinces.

4. The undersigned is fully aware that the expenses of maintaining a Government in a small Province are relatively greater than in those of larger dimensions; but, in view of the facts above mentioned, the undersigned must express his unqualified conviction that no additional allowance can be made to Nova Scotia without involving similar grants to the other Provinces.

It is evident that such grants would entail a large addition to the annual expenditure of the Dominion, which again would inevitably involve additional taxation, inflicted upon the inhabitants of the very province now requesting an increase to its income, as well as upon those of the other provinces.

Moreover, an examination of the taxation *per capita* paid by the people of Nova Scotia seems to show conclusively that, in this event, they would probably be compelled to pay more into the exchequer of the Dominion than they could possibly receive again.

5. The undersigned further observes that an examination of the disbursements incurred by the Province of Nova Scotia shows clearly that a very large proportion, amounting to no less a sum than \$380,000, out of a total of \$665,914, was expended on education and the maintenance of roads and highways, both of which services are, to a very large extent, defrayed in the other Provinces from direct and local taxation.

6. In view of the enormous engagements to which the Dominion of Canada is now committed, and in view of the inexpediency of disturbing the present financial arrangements of the several Provinces, the undersigned feels it his duty to recommend, in the strongest manner possible, that no addition be made to the fixed annual charges now existing by a continuance of the sum asked for.

R. J. CARTWRIGHT, *Minister of Finance.*

FINANCE DEPARTMENT, 12th February, 1877.

MEMORIAL to the Dominion Government on the Financial Condition of the Province.

PROVINCIAL SECRETARY'S OFFICE, HALIFAX, 2nd January, 1879.

SIR,—The Government of Nova Scotia have had under consideration for some time its financial position as it now stands, and the resources it will possess for the



future to meet its various obligations, and the annually recurring necessary expenditure.

The condition of the local revenue is of such a character, and so inadequate to meet our requirements, even upon a scale of the closest economy, that it has been decided by the Government that I should lay before you, in as comprehensive a form as may be, an abstract of the financial history of this Province since it entered Confederation, in 1867, up to the beginning of the present year, in order that the actual resources of the local revenue may be fairly and fully understood, and the necessity of some readjustment made more apparent than a mere superficial view of the situation is likely to convey.

The amount of debt allowed to Nova Scotia on entering Confederation was \$9,186,756, but the actual balance to our credit on the 30th June, 1868, after deducting sterling debentures and other large obligations of the Province taken over by the Dominion Government, was only \$924,455.33. The interest on this sum, at 5 per cent., amounted to \$46,222.76.

It may be stated, at the outset, however, that the interest on this balance was never intended to form a permanent asset, as a portion of our local revenue. Both political parties were in accord, from the beginning, that this balance of debt should be appropriated towards the construction of public works, to further inter-communication and promote the interests of the people of the Province in this direction.

The annexed tables (pages 15 and 16, marked A and B) exhibiting the actual revenue and expenditure of the Province for the ten years from 1868 to the end of 1877, will show, in a better and clearer form than could be done in any other way, the real local resources and necessities of the Province.

They will show them, however, in a manner so exceptionally unfavorable to us, in our present and prospective financial position, that a brief analysis and explanation of the figures contained in these tables are absolutely necessary. From table A, page 15, showing the aggregate receipts of the Province from 1868 till the end of 1877, it will be seen that the total income of Nova Scotia from all sources, in 1868, the first year after Confederation, was \$586,696, of which \$371,487.26 was paid by the Dominion, in the form of subsidy and interest on debt; \$28,788 accrued from Crown lands; \$101,160 from sources principally made up of refunds and special balances, which could only be considered as casual, and not be taken into account in any calculation bearing on the regular annual revenue.

This was the income. The expenditure for the same year, as shown by table B, was \$653,323.55; thus showing a deficit of \$66,627.55 the very first year after Confederation.

The only exceptional item of expenditure that year was \$42,597.43, on the new provincial building. The other services were all upon about the same scale, as was observed in the preceding, and followed during succeeding years.

It may not be out of place here to direct the attention of your Government to the character of our local sources of revenue, apart from the Dominion subsidy. The table of receipts, from 1868 to 1877, shows how fluctuating they are. The first on the list, that from Crown lands—from a revenue of \$28,788, in 1868, fell away, in 1876, to \$6,671; in 1877, to \$7,718. The receipts for 1878 from this source were still smaller, being only \$6,538.65. Indeed, the Crown lands have really ceased to be a source of revenue, the expenditure of the Department having, for some years, exceeded its income; and, accordingly, for the past two years, to save expense, it has been amalgamated with that of the Attorney-General.

Again, if the receipts from royalty on coal, &c., are examined, it will be seen that while the income from that source, in 1868, was \$101,160.06, in 1876 it amounted to only \$60,036; in 1877, to \$77,202, while the amount paid in up to the end of 1878 was not more than \$50,397.82.

These two services, exclusive of the annual subsidy, form the principal sources of our local revenue; and it will be seen that they are not only inconsiderable in amount, but that that amount, for some years past, has been steadily decreasing. The causes of this do not require any extended explanation.

For the sake of a clear understanding of this part of the subject, I subjoin a state of the subsidy account from 1868 till the present time.

STATEMENT of subsidy, &c., paid by Dominion Government for Province of Nova Scotia, till end of 1878 :—

1868—Subsidy.....	\$235,953 18	
Arrears .....	135,534 08	
		\$371,487 26
1869—Subsidy.....	\$333,614 78	
Supplementary .....	42,481 85	
do additional... ..	19,910 38	
Refund, delegation .....	14,200 00	
Advance.....	50,000 00	
		460,207 01
1870—Subsidy, including interest.....	\$369,239 15	
Advance.....	50,000 00	
		419,239 15
1871—Subsidy, with interest.....	\$393,984 84	
Advance.. ..	50,000 00	
		443,984 84
1872—Subsidy, with interest. ....	\$437,473 48	
Award, public building.....	84,000 00	
Immigration .....	10,000 00	
Advance.....	40,000 00	
		571,473 48
1873—Subsidy, with interest. ....	\$451,106 30	
Immigration.....	10,000 00	
Advance .....	30,000 00	
		491,106 30
1874—Subsidy, with interest.....	\$538,763 73	
Advance .....	50,000 00	
		588,763 73
1875—Subsidy, with interest .....	\$504,458 64	
Advance .....	50,000 00	
		554,458 64
1876—Subsidy, with interest.....	\$477,146 76	
Railway advance fund... ..	15,501 49	
Advance... ..	50,000 00	
		542,648 25
1877—Subsidy, with interest.....	\$420,036 13	
Railway advance fund .....	8,220 49	
Advance.....	50,000 00	
		478,256 62
1878—Subsidy, with interest .....	\$359,175 05	
Railway advance fund.....	11,522 81	
Advance.....	155,170 07	
		525,867 93

According to the statement given me by the treasurer, this Province, on the 1st of January, 1879, had a cash deficiency of about \$316,000. In addition to this, there are other liabilities, raising the deficit in the aggregate, including excess of expenditure for present year, to at least half a million of dollars.

We have, however, to look to the amount of subsidy, to be relied upon for future years, which, as matters now stand, will be only, taking the most favorable view of things, \$380,000.

The only other sources of revenue, besides those from royalties and Crown lands, are, for the most part, casual, and of comparatively trifling magnitude. The principal are payments from *Gazette* office, about \$3,000; and fees from Provincial Secretary's



office, including marriage licenses, say \$7,000. All the other items put together to be relied upon in future will not exceed \$1,000.

Should matters then remain as they are, the local revenue of Nova Scotia, from all sources, will be as follows:—

#### DOMINION SUBSIDY.

Subsidy supposing population, in 1881, to be 400,000.	\$320,000
Allowance for legislative expenses.....	60,000
Mines revenue .....	50,000
Crown lands, say.....	6,000
Fees Provincial Secretary's office.....	7,000
Casual revenue, including <i>Gazette</i> , say.....	4,000
Total.....	\$447,000

There is a nominal revenue in the treasurer's balance sheet of \$40,000 from the hospital for the insane, but this is not really an asset. The aggregate receipts from the institution for the past ten years have been \$293,707.25, or an annual average of \$29,370.72, while the annual charge upon the Province for its support is about \$50,000, so that in this service there is a real deficit to be made up out of the local exchequer every year of about \$20,000.

It may be said that no allowance is made in the above statement for interest on the balance of the debt account. The reason for this is, that when the engagements entered into by the late Government have been met, there will be no balance, but probably a deficit. On the 14th October last the whole amount to our credit was only \$477,753.53, against which there are railway and other liabilities, which will absorb it all, and half a million dollars more.

The balance of the debt account in our favor in 1868 was, as has been already stated, \$924,453.33. By the Act 36 Vic., chap. 30, an addition to this debt was allowed to the extent of \$1,344,780, and still another addition by 37 Vic., chap. 3, of \$199,490. Besides these sums there was also the additional subsidy for ten years of \$82,698, as well as some other allowances, such as that of \$60,000 for old stores, and \$84,000 for the new provincial building.

These sums went into revenue account, with the exception of two of the additional ten year subsidies, and formed part of the annual income necessary to meet the regular expenditure. The whole of the balance of the debt account to the credit of the Province, amounting in the aggregate to \$2,468,723.33, has been spent or will be spent in railway construction. Exclusive of the amounts paid out of this balance towards the completion of the Pictou and Windsor and Annapolis roads, \$456,542 have been advanced to the Eastern Extension; \$695,351 to the Western Counties Railway Company; \$95,000 to the Nietaux and Atlantic Central, and \$139,650 to the Spring Hill and Parrsboro' Railways. There is still a balance of about \$420,000 not yet drawn, but this will be more than absorbed by claims still unpaid and due to the Eastern Extension and other railway companies, when they have fulfilled their engagements.

It will be seen from the table of receipts of the Province from all sources from 1868 till 31st December, 1877, that the aggregate amounted to \$6,648,542.44, or an average of \$664,854.24 annually. This, however, included the \$82,000 granted for ten years, which lapsed on the 30th June, 1877, the interest accruing from the debt unappropriated, the allowances for the new provincial building, for old stores and some of less magnitude.

All these may be said to belong to the past, and the only available sources of revenue to meet the local requirements now are the subsidy and the returns from the various services which have been already mentioned, which, taken together, will not exceed \$450,000.

It may not be amiss to enumerate once more our future revenue as matters now stand.

Subsidy, say.....	\$320,000
Allowance for legislative expenses.....	60,000
Local revenues, say.....	70,000
	<hr/>
	\$450,000

This is making an estimate of the local revenue much larger than the return for 1878 would justify, but it is to be hoped that some improvement may take place in the long depressed industry of mining. The royalty of coal, however, which is by far the most important head of local revenues, is, by the mining companies and many others, considered open to grave objection, and as in fact equivalent to an export duty or tax on our most important industry, after our fisheries.

A royalty of 10 cents a ton on coal would, I doubt not, at the present time, be considered a fair profit on their business by the mining companies.

As it is, the extension of this great industry is hampered and rendered almost impossible by the tax of 75 cents per ton imposed upon its importation into the United States. This, to a large extent, shuts it out from what would otherwise be its natural market, while the absence of protection equally operates against its introduction into the Upper Provinces of the Dominion. The revenue from this source has thus, for several years, been in a state of decay, while, at the same time, the commercial and industrial progress of the country is seriously retarded.

It has been shown that in future we will, under present arrangements, have only \$450,000 of revenue to meet the various provincial services and requirements.

It will be seen, by reference to the table of provincial expenditures for the ten years, from 1868 till 31st December, 1877, that the whole local outlay for that period was, exclusive of expenditure on railway construction, \$6,836,421.29, or an annual average of \$683,642.12—that is, an annual expenditure fully \$200,000 in excess of the revenue we will, according to our present position, have to depend upon.

The following balances, taken from the annual statements made in the Provincial Treasurer's report, will show conclusively that, even with the great advantage of large returns from interest on debt account, the ten years' grant of \$82,000 a year and other allowances, that during the last four or five years the deficits were large, and must, as a matter of course, continue to be so, unless substantial relief is extended to the Province for the future.

#### RECEIPTS and Expenditures for ten years.

Year.	Receipts.	Expenditure.	Excess of Receipts.	Excess of Expenditure.
	\$	\$	\$	\$
1869.....	603,585	575,982	27,603	.....
1870.....	673,819	609,526	64,293	.....
1871.....	602,179	676,699	.....	74,520
1872.....	754,336	706,125	48,211	.....
1873.....	672,551	681,275	.....	8,724
1874.....	758,502	747,787	10,725	.....
1875.....	665,914	764,367	.....	98,453
1876.....	667,890	732,127	.....	64,237
1877.....	663,065	689,207	.....	26,142
1878.....	627,983	745,683	.....	117,700

The amount of receipts for 1878, put down as \$627,983, do not include overdrawn subsidy belonging to 1879, amounting in all to \$155,175. But, as \$50,000 have always been allowed as an advance, the additional overdraw was \$105,175. Besides this, there was a loan of \$42,117 from provincial railway account. Loans are not revenue.

The above table shows a state of things which it is hardly necessary to say cannot go on. But it may be alleged that the resources of the Province have been



poorly husbanded, or that the expenditures have been wildly or needlessly extravagant.

As these annual expenditures took place throughout under other Administrations than the one which I now have the honor to represent, I will now refrain from expressing any opinion on that point. Nor does the result which is sought to be reached require it. The argument for increased allowance in some shape will be sufficiently conclusive if it can be clearly shown and proved that in order to carry on the public business of the Province the sum of \$450,000 or \$500,000 is altogether inadequate.

To prove this it will be necessary to analyse somewhat in detail the various heads of provincial expenditure, as shown in table B. The two largest services are the education and road grants. The amount expended last year for the former was \$202,131, while for 1878 the amount is still greater, being about \$207,000. The average annual expenditure under this head for the past ten years has been \$179,122.

The late Finance Minister, Hon. Mr. Cartwright, in strongly urging the refusal of the continuance of the grant of \$82,698, which lapsed on the 30th June, 1877, among other reasons, stated, "that a very large proportion, amounting to no less a sum than \$380,000, out of a total of \$665,914, was expended on education and the maintenance of roads and highways, both of which services are, to a very large extent, defrayed in other Provinces from direct local taxation."

This is putting the case very unfairly, and is besides, not entirely correct. If we take the neighboring Province of New Brunswick, it will be seen from the comparative statement given below, supplied me by Dr. Allison, Superintendent of Education, that the Government grant for education in that Province is, taking population into account, considerably larger than that of Nova Scotia.

	Voted Nova Scotia.	Voted New Brunswick.
Common schools.....	\$150,359 39	\$116,278 18
County Academies.....	6,600 00	11,908 55
Inspection.....	14,061 69	6,879 93
Examination.....	3,070 54	264 50
Normal School.....	5,041 76	6,077 48
Miscellaneous.....	4,688 76	6,278 64
	<u>\$183,816 38</u>	<u>\$147,687 28</u>
	Population.	Grant per Head.
Nova Scotia.....	387,800	47 cents.
New Brunswick.....	285,594	51 do

The education grant by Prince Edward Island is also much larger than that of Nova Scotia *per capita*, being \$80,813, or 85·6 cents to each of the population.

The amount granted last year by the Province of Ontario for educational purposes was, according to the Public Accounts of that Province, \$550,219, being at the rate of 34 cents *per capita*, which is not at all so very much less than that of Nova Scotia.

Nor is it fair or correct to imply that this Province does not raise its fair share for educational purposes by assessment and direct taxation. In 1877, according to a return made to me by the Superintendent of Education, the total amount raised in Nova Scotia for the above purpose for local assessment was not less than \$476,867·98, being at the rate of \$1·23 per head of the population, and \$293,051·60 in excess of the Government grant. I am very much mistaken if the municipal taxation of Ontario, under this head, will show a better record.

The people of this Province are justly proud of their system of free education, and would not consent to any proposal for rendering it less efficient than it was previous to the date of Confederation.

But it is unjust in the extreme to seize upon a single service, which may seem the most vulnerable, in making a comparison between the revenue or the expenditure of the several Provinces. If such comparison is to be made at all, it should be of the services as a whole, and, taken in this way, the Province of Nova Scotia has less to come and go upon than either Ontario or any of the other Provinces.

Local revenue from all sources :—

Ontario .....	\$3,177,210	or \$1.96	per head.
Quebec .....	2,428,216	do 2.03	do
New Brunswick.....	618,113	do 2.16	do
Prince Edward Island.....	326,274	do 3.45	do

The future revenue of Nova Scotia, however, will, by the present arrangement, certainly not be more than \$500,000, or only \$1.29 per head of the population.

Ontario has a territorial revenue, exclusive of her subsidy, of \$628,712.90, besides receipts from other sources, amounting to \$489,795.29.

The whole territorial revenue of Nova Scotia in 1878, including royalty on coal, did not exceed \$65,000, or only about one-tenth of that of the larger Province, while the ratio of population is only about four to one. If the additional fact is taken into consideration, which Mr. Cartwright himself, in his memorandum of 12th February, 1877, admits, that the expenses of maintaining a Government in a small Province are relatively greater than in those of larger dimensions, the argument becomes irresistible, that if the larger Provinces have nothing but what is fair and necessary for the maintenance of their local requirements, it is plain beyond question that this Province is not only crippled in her local resources, but that these resources are totally inadequate to meet her just and necessary expenditures.

The system of maintaining our roads and bridges is certainly not the best that could be devised, and it is quite possible that the large sums granted to the various counties are not always laid out to the best possible advantage. It has, however, the authority of long practice, and it is questionable whether public opinion would support any Government in introducing at once a radical change. Our roads and bridges might, indeed, be kept in a more efficient state with the money granted, but that does not prove that they might do with a smaller allowance. The nature of the country is such that the road and bridge service must always be an expensive one. Previous to Confederation the grants for this purpose were much larger than they have been since that period. In 1866, for example, the amount voted under this head was \$274,228, and for very many years the annual grant was not below, and generally considerably above, \$240,000.

Every friend of the Union of the Provinces maintained and believed that Confederation would not interfere with, or hamper in any way, our provincial services. The amounts voted and given before 1867 for education and the maintenance of our roads and bridges were much greater than \$380,000, which the late Finance Minister, in the memorandum referred to, pointed to as excessive. They are not excessive, and, taking into account the fact that the sum named is less, by at least \$80,000, than it was before we were united as a great Confederation, the statement is ungracious, and the inference drawn from it misleading and incorrect.

That the Government I have the honor to represent should be obliged to curtail materially these two important grants, would be taking a retrograde step, unjust and injurious to the interests of the Province, and one which I am convinced the statesmen who inaugurated and carried out successfully the Confederation of the Provinces would not desire to see brought about.

I therefore cannot see my way, nor do I consider it desirable, that a smaller sum than \$380,000 a year should be set apart for these two very important services.

From ten to twelve thousand dollars a year is not an extravagant sum to spend for the improvement of agriculture. Criminal prosecutions and inquests cost the Province from four to five thousand dollars a year, and that cannot be reduced.

Under the head of humane institutions a considerable sum is required in this as in all the Provinces for their support.



The lunatic asylum costs about \$50,000 per annum for maintenance, while it yields an income of about \$30,000, leaving \$20,000 to be provided for.

Besides this institution, there are the poor's asylum, the provincial and city hospital, the asylum for the blind, &c., which have hitherto received about \$22,000 in the aggregate, yearly, out of the provincial exchequer. No one would desire to see these charities interfered with or their support lessened.

The legislative expenses might be reduced by the abolition of the Legislative Council—a result which the present Government would gladly see brought about; but this is a measure which cannot well be effected without the sanction of that body itself—a sanction, however, which it is quite possible may not be soon or readily obtained.

The average expenditure under this head for the previous ten years has been about \$38,000.

"Navigation securities" require for their maintenance between \$12,000 and \$13,000 a year.

Public printing has been largely retrenched, but still requires about \$8,000 per annum, and I do not think it can be brought to a lower point.

Subsidies to steamers, packets and ferries within the Province, have averaged, for the past three years, about \$30,000. In previous years the allowance was much less, and this service might be put down at \$20,000 or \$25,000.

In the matter of salaries, departmental and otherwise, it will be seen by reference to the table of expenditure for the ten years from 1868 to the end of 1877, that not only has there been no increase, but a very sensible reduction in this direction.

The exigencies of the provincial requirements perhaps necessitated this. But it may be remarked, in passing, that the increased cost of living has been considered a just reason for largely increasing Dominion salaries, from Ministers of the Crown downwards. Those of the public servants attached to the provincial service have remained in every instance stationary. I would say that, taken either individually or collectively, they are too small. The salary attached to the Provincial Secretary, \$2,400, is the highest departmental salary. That of the Attorney-General, who, in addition to his duties as such, has also charge of the late Crown Land Department, is only \$1,600, from which it may be readily understood that this branch of the public service is upon a very modest scale indeed.

This is proved by the subjoined statement taken from the Public Accounts of each Province.

The average for ten years has been under \$21,000 per annum. It ought to be at least 25 per cent. higher.

The head "miscellaneous" embraces a great variety of necessary items of expenditure, such as light, fuel and repairs for Government House, the provincial building and other property of the Province; postage, telegrams, stationery, and books for library and a hundred minor things that cannot be particularized. The average under this head for many years has been about \$20,000.

Besides the above there are always a certain number of special requirements, which come in year by year, and as you are well aware cannot be avoided. The public wants grow with the population. For example, it has for some time been felt that the Island of Cape Breton requires a lunatic asylum for itself, but there are no available funds for such a purpose.

These special services during the past four years have absorbed nearly \$12,000 each year of the Provincial revenue.

Such then are the actual requirements of the Province, which for clearness I will recapitulate under their proper heads.

Agriculture (say).....	\$10,000
Criminal prosecutions and inquests.....	4,800
Education.....	200,000
Humane institutions.....	50,000
Legislative expenses.....	38,000
Miscellaneous.....	20,000

Navigation securities.....	12,500
Public printing.....	8,000
Roads and bridges.....	180,000
Steamboats, ferries, &c.....	20,000
Salaries.....	22,000
Special (say).....	10,000
Total.....	<u>\$575,300</u>

Or, in round numbers, \$600,000.

The average annual expenditure has been much higher than this. During the last five or six years the average has been over \$700,000.

As a matter of course, such expenditure, even with interest on debt, and the \$82,628 a year has now lapsed, has been far in excess of our revenue, and has brought the Province into very serious difficulties, the total deficit at the present time being, as already stated, about \$500,000.

It cannot be said that the above estimate is too high. On the other hand, it is framed on the most rigid system of economy; and it is quite probable that, in practice, it may be found impossible to keep within the limits prescribed above.

Our present and future revenue, under existing circumstances, has been already indicated.

Dominion subsidy	\$380,000
Crown lands and royalty on coal, &c. (about)	65,000
Gazette office	3,000
Fees of Provincial Secretary's office, including marriage licenses	7,000
	<u>\$455,000</u>
That is, expenditure	\$600,000
Revenue	<u>455,000</u>
Future annual deficiency	<u>\$145,000</u>

It will thus be seen that unless relief should be afforded, the prospect for the future is sufficiently gloomy; and, in plain language, it will be quite impossible to go on without sacrificing essential public interests.

None of the other Provinces are in this position. So far as I am aware, the local revenue of all of them is largely in excess of that of Nova Scotia, taking population into account. The reasoning, then, of the Hon. Mr. Mackenzie in answering the letter of the Hon. P. C. Hill, to the effect that if any financial concession is made to this Province a similar *pro rata* allowance must be made to each of the other Provinces, falls to the ground.

Surely, it ought to be accepted as sufficiently conclusive, if it can be shown beyond the shadow of a doubt that the Dominion subsidy, including the local revenue, is altogether insufficient for the requirements of a particular Province; and if, in addition to this, the Public Accounts of the various Provinces of the Dominion show—as they do show—that the revenue of four of them is *pro rata* far in excess of that of the fifth. In such a case, the application for the additional aid becomes, to a certain extent, a claim of right; and, as such, it has been considered and allowed, in a large and liberal sense, in the case of the newest Provinces of the Confederation.

Our present position, financially, proves in a more convincing manner than any words can, that the allowance of \$82,628 granted as additional subsidy to Nova Scotia for ten years should not have been withdrawn last year, as it is unfortunately too evident from our financial returns, but even with that allowance under the Government's both of the Hon. Mr. Vail and the Hon. Mr. Hill, the expenditure, with slight exceptions, has been each successive year far in excess of the revenue.



The question now suggests itself, how can the needed remedy be applied? The facts stated above prove, I think, very clearly, that a revision and readjustment of the present subsidy may be made in accordance with the reasonable requirements of our Province, so that it may be placed, in a revenue point of view, on an equal footing with its sister Provinces.

The Hon. Mr. Mackenzie, in his letter of the 29th January, 1877, addressed to the Hon. P. C. Hill, maintains that there is only one way in which this can be done, viz., "Allowing a *pro rata* payment to all the other Provinces at the same time." In the face of the facts which have been adduced in this statement of the case of Nova Scotia, the position of Mr. Mackenzie ceases to be tenable. How can it, with such a return as the following, taken from the Blue Books of each Province:—

	Income.	Per head, pop.
Ontario.....	\$3,177,210 00	\$1 96
Quebec .....	2,428,216 00	2 03
New Brunswick.....	618,113 00	2 16
Prince Edward Island .....	326,274 00	3 45
Nova Scotia, in future, say.....	500,000 00	1 29

But should there prove to be serious or insurmountable difficulties in this method of adjustment, relief to our necessities may be found in another direction, and in a way which could not be justly challenged or objected to by any of the other Provinces.

The large sum of \$5,500,000 has been paid over by the Government of the United States as an equivalent for the privilege of taking fish along any portion of the eastern coasts of British North America. A certain proportion of that award will be paid to Newfoundland. Of the balance, whatever that may be, Nova Scotia, whether the extent of marine territory possessed by her is to be regarded, or still more, the remarkable piscine fertility of that territory, compared with the other Provinces, possess claims so strong in common equity that they cannot with any justice be ignored. Nova Scotia, unlike the other Provinces, is a peninsula, having the sea on every side, except at a narrow neck of land a few miles in breadth joining it to New Brunswick. But the extent and value of her sea coast are not measured merely by the length and breadth of the Province. Her shores in every part are indented with bays and inlets, doubling the direct extent of sea coast in a straight line. Every part of this extensive seaboard, as well as the shores encircling the considerable Island of Cape Breton, is rich in a description of wealth, which is ever renewing itself, and is therefore practically inexhaustible. Year by year, for more than two centuries, that unfailing treasury of natural wealth has remained full as ever. Of the two thousand miles of coast line, counting bays and indentations, possessed by Canada along the shores of the Atlantic, about 1,200 are possessed by Nova Scotia.

The relative value of our fisheries may be estimated with tolerable accuracy from the returns given in considerable detail in the census report of the Dominion for 1871.

## YIELD of Fisheries.

	Dominion.	Nova Scotia.	Quebec and New Brunswick.
Vessels .....	991	722	269
Boats.....	16,876	7,940	8,936
Men .....	37,498	18,201	19,297
Fathoms of nets.....	1,879,435	975,674	903,761
Quintals Cod.....	682,631	380,308	302,323
Hake and Haddock.....	120,213	101,042	19,171
Barrels Sounds and Tongues.....	1,261	871	390
do Herrings .....	417,300	135,266	282,034
do Gaspereaux .....	29,117	10,358	18,759
do Mackerel .....	77,925	69,647	8,278
do Sardines.....	6,492	25	6,467
do Halibut .....	3,560	2,536	1,024
do Salmon.....	15,907	4,218	11,689
do Shad .....	12,380	7,183	5,197
do Eels .....	7,693	1,262	6,431
do Whitefish.....	23,017	14	23,003
do Trout .....	19,719	372	19,357
do Other fish.....	81,152	1,367	79,785
do Cured Roe .....	2,934	1,952	982
do Oysters .....	14,500	1,257	13,243
Gallons medicinal Cod Oil.....	2,491	1,405	1,086
do other Oils.....	676,403	287,925	388,478

Such, according to the census of 1871, was the yield, in amount, of the fisheries of the Dominion, and it is probably as nearly as may be correct, and affords authoritative and reliable data for calculating the comparative value of the fisheries of Nova Scotia and of those of Quebec and New Brunswick taken together.

As I have not returns from Prince Edward Island, I am unable at present to give the fishery yield of that Province, but this information can easily be obtained, and its absence at present does not materially affect the strength of the argument I seek to establish in favor of Nova Scotia.

Looking at the fisheries of Nova Scotia, as compared with those of Quebec, New Brunswick and Ontario, taken for the sake of convenience as one, it will be seen that the former has 73 per cent. of all the vessels in the Dominion engaged in fishing, 47 per cent. of all the boats; 49 per cent. of the men engaged in the pursuit of fishing in the Dominion belong to Nova Scotia. The fathoms of nets belonging to Nova Scotia are more than one-half of the whole.

The amount of the catch off the shores of the respective Provinces differs largely, as certain fish are known to frequent particular localities more than others; but, taken as a whole, there can be no doubt, I should think, that fully half the amount in value of fish taken in Dominion waters is caught within the maritime territory of the Province of Nova Scotia.

This may be seen, even by a superficial examination of the foregoing table. For example, 55 per cent. of all the cod taken is from the waters of Nova Scotia; of the 77,925 barrels of mackerel returned as taken out of Dominion waters, 69,647 barrels, or nearly nine-tenths of the whole, are credited to Nova Scotia. The proportion of hake and haddock are about the same. Of herring, this Province takes one-third of the whole; of halibut, two-thirds: of salmon, rather less than a third; of shad, 58 per cent. The head, "other fish" represents chiefly fish of little commercial value. In fish oils, an important article of commerce, the proportion, taking the medicinal cod oil and other oils together, is about even.

If, then, it has been considered, that the value of the privilege conferred upon American fishermen, by allowing them unrestricted access to the Atlantic waters of



the Dominion to follow their occupation was, exclusive of a free market for our fish in the United States, worth five millions and a-half of dollars, the proportion of that sum which Nova Scotia, as a Province, may rightfully claim, cannot be difficult of calculation.

It ought to bring to this Dominion, in my opinion, after very careful consideration of the subject, an amount in some shape which would make her richer by \$100,000 a year.

Even the addition, in the present and prospective condition of our provincial revenues, would not nearly meet the expenditure which I have shown to be absolutely necessary for our requirements. A good deal more is needed.

Looking at our present condition, and taking the whole facts of the case into fair and reasonable consideration, I do not see how our public business as a Province can be conducted and our different services maintained even upon a scale at once careful and economical with a smaller sum than \$600,000 a year.

I have thus, Sir, placed before you the condition and requirements of the Province of Nova Scotia in as correct and succinct a manner as I am able. I trust they will receive the friendly and favorable consideration of yourself and your Government, which your sense of justice and the enlightened and liberal feelings which have hitherto characterized your policy in connection with the smaller Provinces of this great Dominion lead us confidently to expect.

I have the honor to be, Sir, your obedient servant,

S. H. HOLMES, *Provincial Secretary.*

Right Hon. Sir JOHN A. MACDONALD, K.C.B., &c., &c.

A.—RECEIPTS of the Province of Nova Scotia, from the year 1868 to 31st December, 1877.

	1868.	1869.	1870.	1871.	1872.	1873.	1874.	1875.	1876.	1877.	Total.
	* \$ cts.	* \$ cts.	* \$ cts.	* \$ cts.	* \$ cts.	\$ cts.	\$ cts.	\$ cts.	\$ cts.	\$ cts.	\$ cts.
Dominion of Canada.....	374,487 26	460,207 01	419,239 15	443,984 84	571,473 48	491,106 30	588,763 73	554,458 64	542,648 25	478,256 62	4,921,625 28
Crown lands.....	28,788 78	37,208 19	131,328 03	35,647 45	52,537 44	32,052 52	25,483 04	9,730 73	6,671 49	7,718 38	367,166 05
Mines.....	101,160 06	69,156 94	71,575 28	66,908 67	82,380 42	109,557 82	90,393 42	62,107 28	60,036 76	77,202 09	782,188 74
Hospital for insane.....	21,466 68	20,292 17	25,478 29	30,464 06	27,111 19	28,583 52	34,568 66	28,032 49	37,070 82	40,639 35	293,707 23
†Other sources.....	63,793 47	16,721 50	26,198 93	25,174 72	20,833 88	19,951 81	18,793 21	11,675 57	21,463 18	59,248 87	283,855 14
	586,696 25	602,585 81	673,819 68	602,179 74	754,336 41	672,551 97	758,502 06	665,914 71	667,890 50	683,065 31	6,648,542 44

\* Nova Scotia Currency. † Principally made up of refunds and special balances.



## EXPENDITURE of the Province of Nova Scotia, from the year 1863 to 31st December, 1877.

	1868.	1869.	1870.	1871.	1872.	1873.	1874.	1875.	1876.	1877.	
	* \$ cts.	* \$ cts.	* \$ cts.	* \$ cts.	* \$ cts.	* \$ cts.	* \$ cts.	* \$ cts.	* \$ cts.	* \$ cts.	
Advances .....	22,650 55	3,637 15	235 00	974 62	659 87	8,000 00	12,000 00	5,908 41	4,719 51	12,000 00	\$ cts.
Agriculture .....	6,000 00		8,000 00	6,000 00	7,500 00				14,091 59		32,731 70
Centennial exhibition .....									3,774 85	665 32	79,500 00
Criminal prosecutions & inquests .....	4,765 80	3,814 85	3,726 20	3,180 63	3,075 11	3,609 90	4,101 00	4,505 22	5,222 56	3,043 35	4,746 17
Crown lands .....	14,889 62	12,800 00	18,000 00	27,339 73	26,400 00	15,000 00	18,500 00	14,000 00	10,500 00	6,500 00	39,544 75
Education .....	165,403 56	162,057 56	165,000 00	183,679 70	180,000 00	180,000 00	180,000 00	180,000 00	192,956 50	292,131 05	164,429 35
Humane Institutions .....	73,977 69	21,137 13	33,637 88	24,189 06	80,625 11	60,514 38	62,291 78	43,660 58	31,534 52	25,760 09	179,123 37
Immigration .....	666 66	800 00	800 00		3,202 51	7,772 24	8,499 58	9,981 37	6,685 80	3,370 35	457,328 22
Interest .....									1,837 52	6,876 30	43,778 51
Legislative expenses .....	36,254 34	26,899 41	33,025 05	35,132 02	40,640 03	44,102 45	40,837 71	43,830 85	42,418 21	38,594 80	8,713 82
Local works .....	59,404 94	57,000 00	56,500 00	63,567 12	60,000 00	64,000 00	66,000 00	75,000 00	69,000 00	65,000 00	381,724 87
Mines .....	16,500 00	15,200 00	13,000 00	11,521 83	10,000 00	10,500 00	10,000 00	8,020 00	9,000 00	7,750 00	635,472 06
Miscellaneous .....	12,917 28	29,206 38	13,734 41	23,930 86	16,989 14	16,340 42	18,566 33	23,860 11	25,012 36	19,274 41	111,491 83
Navigation securities .....	15,821 35	10,383 86	10,961 72	11,489 25	9,647 23	11,468 98	13,774 61	11,638 20	13,444 28	14,434 42	199,891 70
Normal school .....									500 00	3,500 00	123,063 90
do expenses .....										4,000 00	4,000 00
Provincial exhibition .....	3,000 00									16,000 00	16,000 00
Public buildings .....	42,697 43	1,479 88								3,000 00	3,000 00
Public printing .....	8,207 69	8,296 65	5,692 93	4,313 50	7,189 07	4,818 25	6,416 00	7,211 62	7,441 07	7,670 66	44,077 31
Railway damages, Annapolis .....	58 25										67,256 44
do Pictou Ry. ....	308 18	185 37	590 28	132 50							58 25
do Colchester .....	3 18										3 18
do Hants .....	3,450 00										3,450 00
do Pictou .....	10,884 12	9,448 71									21,118 31
do Kings .....	710 00										710 00
do W.C.Ry., Yarm th .....											8,810 00
do Digby .....											8,810 00
Road advances .....	71,173 16	28,608 23	51,776 38	71,782 70	74,147 10	65,042 76	73,136 73	97,679 84	3,000 00	8,165 00	11,490 00
do service .....	51,015 05	155,193 06	162,436 89	164,847 32	150,997 84	150,373 51	151,785 25	177,635 85	70,380 18	24,185 36	627,912 44
do do special .....											151,463 57
Salaries, Government .....	22,937 70	21,825 00	21,650 00	22,054 97	21,783 34	5,959 34	7,142 98	7,142 98	11,647 44	16,041 10	50,874 84
Steamboats, packets and ferries .....	10,415 00	8,110 00	10,770 00	12,316 74	13,268 65	11,776 00	19,096 00	28,686 00	19,350 00	21,047 10	206,637 64
do do special .....											177,519 89
Special .....											8,958 91
Windsor and Annapolis Railway .....											45,694 61
Indemnity Account .....											7,285 52
											689,207 30
											6,836,421 29
	653,323 55	575,982 24	609,526 74	676,699 54	706,125 00	691,275 23	747,787 04	764,367 59	732,127 06	785 5	

\* Nova Scotia Currency.

*To His Excellency the Right Honorable John George Henry Douglas Sutherland Campbell, Marquis of Lorne, Knight of the Thistle, and Knight Grand Cross of St. Michael and St. George, Governor General and Commander-in-Chief in and over the Dominion of Canada, &c., &c., &c.*

MAY IT PLEASE YOUR EXCELLENCY:—

We, the members of the House of Assembly of Nova Scotia, in legislative session convened, beg leave to approach Your Excellency for the purpose of representing:

That by documents submitted to the Legislature of the Province during its present session, by command of His Honor the Lieutenant Governor, it is made apparent that the financial position of the Province of Nova Scotia is extremely unsatisfactory and alarming, as regards the future welfare of this part of the Dominion.

That under date of the 2nd January last a memorial on the financial condition of the Province was addressed by the Hon. Provincial Secretary to the Right Hon. Sir John A. Macdonald, Premier of Canada, in which an elaborate and detailed statement of the amount and sources of the revenue and of the expenditure for the several public services of the Province for the past ten years was given.

That this plain and comprehensive statement of facts clearly indicates the serious embarrassment in which the Province is placed with respect to its immediate obligations, and also makes it quite evident that with the present limited and failing sources of revenue it will be impossible to meet the absolute and necessary requirements of the public services of the Province.

That this House of Assembly regrets to inform Your Excellency that the statements made in the said memorial, calculated, as they are, to excite deep solicitude, are not exaggerated, but are fairly borne out by late and more particular investigation of the Public Accounts of the Province.

That it is unnecessary to give details, further than to state that on the 31st December last the cash balance against the Province by the Treasurer's account, was \$315,624; to which add \$38,782, immediate obligations, making a real balance of \$354,406.

That, besides this, the completion of the railway now in course of construction will exhaust the balance of the debt at Ottawa, and require the increase of the debt of the Province by \$140,000, increasing the total amount of debt to \$494,406.

That not only must this liability be provided for by its conversion into funded debt, in consequence of the impossibility of paying it out of current revenue, but that a comparison of the estimated revenue for 1879, with the net expenditure in 1878, shows that the revenue for that year (\$532,240) is less than the expenditure (\$745,683), of year referred to by the amount of \$213,443.

That this deficiency of \$213,443 is considerably more than one-fourth of the expenditure of last year, and exceeds the total school grant of the Province by over \$5,000, and that in order to continue the Government of the Province with this much diminished revenue, such a reduction of the expenditure would require to be made as would press as a great hardship on the people of the Province, and would materially impair their prosperity.

That in the memorial already referred to it is made clearly to appear that in a revenue point of view Nova Scotia is not on an equal footing with other Provinces of the Dominion, New Brunswick, for instance, being placed in a much better position, by the addition to her subsidy of \$150,000 per annum in lieu of timber export duties.

That this being the case, it follows that justice simple and pure demands that some remedy should be devised and applied for the purpose of providing for the Province the means that are necessary to meet her indispensable expenditures, which can only be done by the aid of the Government of Canada.

That the House of Representatives would emphatically reiterate the words of the Hon. Provincial Secretary, in his memorial, that our financial position proves more convincingly than could any words, that the allowance of \$82,628, granted as



additional subsidy to Nova Scotia, should not have been withdrawn last year, as it is but unfortunately too evident from our financial returns that, with that allowance under the Governments both of Mr. Vail and Mr. Hill, the expenditure, with slight exceptions, has been each year far in excess of the income.

That the revenues of the Provinces of the Dominion are derived from Dominion subsidies and from local or territorial sources, the Dominion subsidies bearing a direct proportion to the population, while the territorial revenues do not, the consequence being that if the territorial revenue of any Province is less than that of others, then its total revenue is less, and the proportion between revenue and expenditure is disturbed and an injustice is the result, which demands a remedy.

That it so happens that the territorial revenue of Nova Scotia, under present circumstances, is much smaller, in proportion to her population, than that of any other Province of the Dominion.

That since Confederation of the British North American Provinces, a new territorial revenue has been brought into existence, being the sum of \$5,500,000, which has been paid by the Government of the United States for the enjoyment of certain privileges on the territorial waters belonging to certain Provinces of Canada and to Newfoundland.

That it is only fair to assume that the advantages thus acquired by the citizens of the United States are equivalent to the amount paid for them, and that an equal, if not a greater, amount of damage is suffered by the people of the Provinces to which these territorial waters belong, on account of their occupation by others. Otherwise the award would be unjust.

That this House of Representatives feels bound firmly but respectfully to express the opinion that it cannot be maintained, on the principles of justice, that money received for privileges extended to foreigners, the granting of which specially affects the inhabitants of certain Provinces, should be appropriated to any other purpose whatsoever than that of augmenting the local revenues of such Provinces.

That we therefore confidently submit that the amount of money received on account of the fishery award, after deducting the allowance made to Newfoundland, be invested, and that the dividends resulting therefrom be allotted to the Provinces, in proportion to their just and respective claims.

Feeling assured that Your Excellency will be disposed to grant free and full-handed justice to the ever loyal subjects of our Gracious Queen, we leave the interests of Nova Scotia cheerfully in Your Excellency's hands.

*RESOLUTION that the Government should take steps to secure to the Province a fair proportion of the Fishery Award.*

Whereas, an award of five million five hundred thousand dollars was made by the Fishery Commissioners in favor of Great Britain, under the fishery clauses of the Washington Treaty;

And whereas the greater part of this large sum has already been paid over to the Government of Canada, and is held by them at the present time;

And whereas the object and purpose of the said award was a compensation to the fishermen of this country, whose interests had been injured by American competition;

And whereas the Province of Nova Scotia owns and controls about one-half of the entire fishing industry of Canada;

Therefore, Resolved, That in the opinion of this House the Government of Nova Scotia should take immediate and definite steps to secure for this Province such proportion of the said award as will equal the interests of Nova Scotia in the fishing industries of Canada.

PROVINCIAL FINANCES—CORRESPONDENCE WITH DOMINION GOVERNMENT.  
(Telegram.)

HALIFAX, 8th March, 1879.

Hon. Minister of Finance, Ottawa.

Is answer to financial memorial ready or forwarded? It is necessary that we submit correspondence to our House. Please answer without delay, so that we will

not have to state that we could get no answer. If possible, get answer here by Wednesday. If not telegraph reply.

S. H. HOLMES.

(Telegram.)

OTTAWA, 8th March, 1879.

Hon. S. H. HOLMES.

Very busy. As soon as Estimates and Budget are ready memorial shall have precedence.

J. M. COURTNEY.

OTTAWA, 8th March, 1879.

MY DEAR SIR,—Mr. Tilley has just handed me your telegram. You will have seen in the papers that our Estimates will be submitted next Tuesday, and the Budget next Friday. As soon as these are done your memorial shall have precedence. I regret the delay that has taken place in the matter; it has been simply impossible to do more than we are now doing.

Yours very truly,  
J. M. COURTNEY, D. M. F.

Hon. S. H. HOLMES, Halifax.

PROVINCIAL SECRETARY'S OFFICE, HALIFAX, 17th March, 1879.

DEAR SIR,—I forward you such of the Public Accounts as we have on a separate form. You will find them all, however, in the Journals of the House of Assembly of this Province in the Parliamentary Library.

A reply to the financial memorial is very anxiously desired. The Provincial Secretary would like to have the Minister's reply before laying the memorial before the House now in session; but as the term is expected to be short, it is impossible to delay it very long. The Minister of Finance must be satisfied, I should think, from the memorial—the very exhaustive financial report of the commission appointed by the Government to examine the provincial accounts, from 1867 to 1878, which I enclose with the Public Accounts—and from these accounts themselves—that substantial relief will have to be extended to Nova Scotia, if it is to keep its public services in anything like a state of efficiency.

I am, yours truly,

JOHN COSTLEY, *Deputy Secretary.*

J. M. COURTNEY, Esq., Deputy Minister of Finance.

PROVINCIAL SECRETARY'S OFFICE, HALIFAX, 7th May, 1879.

SIR,—I take the liberty of directing your attention to the sum of \$58,964.38, which was allowed and paid to this Province as compensation for lighthouse and railway stores taken possession of by the Dominion Government in 1867, on the confederation of the Provinces.

This amount, due to Nova Scotia since the date of union, was somewhat overlooked for several years, and when attention was drawn to it, was, by mistake, placed in the ordinary debt account, from which it was removed on a representation made by my predecessor, the Hon. Mr. Hill, and paid over to the late Government on the 4th July last, with the usual subsidy.

This payment was a practical admission on the part of the Dominion Government that the amount paid was an obligation justly and legally due to the Province of Nova Scotia; and as the property, of which the above named sum was an equivalent, came into possession of the General Government in 1867, but was not paid till July, 1878, it follows that this Province should, in equity, be allowed the accrued interest on the amount, viz., \$58,964.30, which, at 5 per cent. for eleven years, will be \$32,430.40.

I would have called your attention to this subject at an earlier period, but it was only brought to my notice in the course of the recent investigation into the financial



state of the Province, and, till very recently, legislative duties so engaged my attention that I had no leisure to attend to it.

I now respectfully but urgently, request your favorable and immediate consideration of this important matter.

I have the honor to be, Sir, your very obedient servant,

S. H. HOLMES, *Provincial Secretary.*

Hon. S. L. TILLEY, Minister of Finance.

PROVINCIAL SECRETARY'S OFFICE, HALIFAX, 6th October, 1879.

SIR,—I am instructed by the Hon. the Provincial Secretary to direct your attention to two items in the debt account, charged for the first time against this Province, in February, 1878, viz., \$19,873.08, on account of money order office at the era of Confederation, and also of \$8,367.77 as due by the Provincial Government on account of Halifax post office, making in all \$28,240.85.

Beyond the memorandum furnished by the Finance Department, the Executive Government of Nova Scotia have no information about the above accounts. No mention was made of them by the Finance Department, so far as the Government are aware, till February, 1878, nearly eleven years after Confederation, when they appear to have been brought up as a countercharge to the payment of \$58,964.38, for lighthouse stores, &c., taken over by the Dominion at the time of the Union.

The Provincial Secretary is of opinion that there is little or no analogy between these two charges. The latter was accepted by the Dominion Government of the day as legitimate, and it, as well as a similar claim previously made by New Brunswick, was paid accordingly.

With regard to the former, the fact that it was not brought to the surface for nearly eleven years, indicates that in all probability it would not have been preferred at all had not the claim for compensation for railway stores, &c., been made at the time it was.

It seems ungracious to place this large sum of \$28,240.85 to the debt of the Province, after the lapse of so long a period, and when it is debarred, in fact, by effluxion of time. With quite as much propriety might the Provincial Government revive the claim of \$100,000 voted by the city of Halifax, conditionally on its being made the terminus of the Intercolonial Railway. This obligation the Dominion Government itself accepted, but for which no equivalent has ever been allowed.

Again, had this post office claim been made at the proper time, investigation might have brought out satisfactory explanations from the parties who were responsible, or, if not, their securities would have been available. As no statement of deficiency was made for years, the securities were discharged, and it is respectfully submitted that the Dominion, not the Local Government, was at fault therefor.

But the present financial condition of the Province presents, perhaps, the strongest of all arguments against these claims being pressed. Our debt account, as you are aware, is nearly used up in railway construction, and when obligations incurred have been met, it will be more than exhausted.

But if, notwithstanding the reasons above given, the claim is still urged, then in the opinion of the Provincial Secretary, the Act 32 and 33 Vic., chap. 2, sec. 5, of Dominion statutes, debars any claim such as that under consideration being now placed to the debt account of Nova Scotia.

Hoping that the whole subject will receive the early and favorable consideration of the Minister of Finance,

I have the honor to be, Sir, your obedient servant,

JOHN COSTLEY, *Deputy Secretary.*

J. M. COURTNEY, Esq., Deputy Minister of Finance.

OTTAWA, 9th October, 1879.

SIR,—I have the honor to acknowledge the receipt of your letter of the 6th instant.

I have the honor to be, Sir, your obedient servant,

W. REGINALD BAKER, *for the Deputy Minister of Finance.*

JOHN COSTLEY, Esq., Deputy Provincial Secretary, Halifax, N.S.

PROVINCIAL SECRETARY'S OFFICE, 10th November, 1879.

SIR,—Referring to the memorial addressed to you by me on behalf of the Government of Nova Scotia, dated the 2nd of January last, relating to the question of provincial subsidies, I beg to state that it is desirable that no further delay should take place in communicating the views of your Government on that subject. Having regard to the necessary attention your Government had to bestow in inaugurating its new commercial policy and other important public undertakings, and the absence of some of its members in England in connection with these subjects, it may be admitted that there were reasons why you might not have been able to give that consideration to the subject which its importance demanded.

Now that these reasons have passed away, and as the financial position of this Province renders it necessary that we should be put into possession of the views and intentions of your Government on this subject without further delay, I would request your immediate attention to this very important and pressing matter.

Our present financial position and requirements are fully set forth in the memorial referred to, as well as in the Address of the Legislature on the same subject, in which it is very clearly shown that we are not placed in a condition of equality with the other Provinces of the Dominion, and that our means are altogether unequal to our necessities, even by the practice of the most rigid economy on our part.

I beg respectfully to request that the views and intentions of your Government respecting the above subject may be communicated to this Government without any further delay.

I have the honor to be, Sir, your obedient servant,

S. H. HOLMES, *Provincial Secretary.*

Right Hon. Sir JOHN A. MACDONALD, K.C.B., Premier, Ottawa.

OTTAWA, 21st November, 1879.

DEAR SIR,—I am in receipt of your communication of the 10th inst., calling the attention of the Government to the memorial presented by your Government in relation to the subsidy question, &c.

I hope to be able to give the matter very early attention, and to submit the result for the consideration of my colleagues in the Government.

I am, dear Sir, yours faithfully,

S. L. TILLEY.

Hon. S. H. HOLMES, Provincial Secretary, Halifax.

PROVINCIAL SECRETARY'S OFFICE, HALIFAX, 23th November, 1879.

SIR,—I am directed by the Provincial Secretary to request the attention of the Hon. Minister of Finance to the letter of the 7th May last, addressed to him on the subject of interest due on \$58,964.38, paid 7th August, 1878 on account of the light-house stores, &c., taken over by the Dominion Government in 1867. There was interest charged on the above sum for eleven years, as being due to the Local Government. I am instructed to bring this matter again before you, in order that it may be considered by the Finance Minister, and some conclusion reached upon it.

I am also requested once more to ask your attention to the subject of the letter addressed to you, dated 6th October last, protesting against the sum of \$28,240.35, on account of Halifax post office, being charged against the debt account.



The Provincial Secretary is anxious that these two matters should be considered with as little delay as possible, that the Local Government may understand how they are likely to stand financially at the end of the year.

I have the honor to be, your obedient servant,

JOHN COSTLEY, *Deputy Secretary.*

J. M. COURTNEY, Esq., Deputy Minister of Finance.

OTTAWA, 29th November, 1879.

SIR,—I have the honor to acknowledge receipt of yours of the 19th instant. On its arrival I placed it in the hands of the Minister of Finance, who informs me that he has communicated with you on the subject.

I have the honor to be, Sir, your most obedient servant,

JOHN A. MACDONALD.

Hon. S. H. HOLMES.

PROVINCIAL SECRETARY'S OFFICE, HALIFAX, 28th November, 1879.

SIR,—A memorial on the financial condition of this Province was addressed to the Dominion Government in January last. Addresses passed in both branches of the Legislature at its last sitting, affirming the views contained in the memorial, were also forwarded to the Dominion Government, and the subject has since been assiduously pressed upon the attention of the Dominion authorities. Up to the present date no official answer has been received as to the views of your Cabinet on the subject of that document, and the Provincial Government is still ignorant whether any or what alleviation to the financial exigencies of the Province may be expected from the hands of the Dominion Administration.

It may be stated briefly that the present Provincial Government, shortly after coming into power, found that the cash deficiency, on the 31st December, 1878, was \$315,624.12, which, with unpaid liabilities, was increased to a total of \$355,000, due principally to banks, in the form of temporary loans, and to the Dominion treasury for advances made on the provincial credits. It is probable that on the 31st December of the current year this deficiency will be increased, notwithstanding the greatest care and economy on the part of the Government, by about \$75,000. The estimate for the current year was prepared with the strictest economy. The navigation securities grant and several other usual services were omitted, and less than half the customary road and bridge service was provided for. The special and miscellaneous service was largely curtailed, and in every direction which it was possible to effect a saving a reduction was made, with the view of keeping the expenditure within the probable revenue. Notwithstanding these efforts, the result of the year's experience is as stated above. The deficit has arisen principally from the necessity of providing for the road and bridge service, criminal prosecutions and education, together with the failure of estimated receipts from mines and old debt accounts. The latter, although included in the estimates, were only temporary sources of revenue. Miscellaneous and special services were kept largely within the estimate.

It is evident, therefore, that the expenditure of the year was a crucial test of the requisite public expenditure, and in view of this fact it becomes necessary for the Government to address your Administration to grant an amelioration of the financial condition of the Province, and with that object I beg to lay before you the grounds upon which such amelioration is sought.

The Province of Nova Scotia, in respect of revenue, appears to greater disadvantage than any of the sister Provinces of the Dominion. Even as regards the Dominion subsidy, the disproportion as compared with the other Provinces is very remarkable. According to the Public Accounts, the subsidies paid to the several Provinces in 1878-9 were as follows:—

	Amount.	Population.
Ontario.....	\$1,196,872 20	1,620,857
Quebec.....	959,252 80	1,191,516
Nova Scotia.....	385,053 74	387,800
New Brunswick.....	428,752 60	285,599
Prince Edward Island.....	155,560 40	94,027
Manitoba.....	90,000 00	11,953
British Columbia.....	208,093 56	10,586

These subsidies include the amount accruing from the various debt accounts and a special grant made to New Brunswick in lieu of former export duty on lumber, amounting to \$150,000 per annum.

The subsidy thus enjoyed by New Brunswick, of \$150,000, is an excess of that enjoyed by Nova Scotia, and is not represented by any similar or equivalent grant to Nova Scotia.

Comparing New Brunswick with this Province, the former receives the same amount per head, 80 cents, a proportionate amount for legislative expenses, its timber stumpage dues—corresponding with the royalty on minerals in Nova Scotia—and in addition the sum of \$150,000 annually as a compensation for its lumber export dues, which sum is in excess of any and all the revenues derived from the Dominion as compared with this Province. It is evident, therefore, that to this amount of \$150,000 the Province of New Brunswick is so much better off than Nova Scotia in respect to the subsidy it receives from the Dominion.

It is a fact that the stumpage receipts of New Brunswick are greater in amount than those derived from minerals in Nova Scotia.

The practical result of the present arrangement in respect to the subsidies of the several Provinces are: that they give New Brunswick an amount equal to \$1.50 per head of the population, in 1871; to Prince Edward Island, \$1.65; to Manitoba, \$7.50; to British Columbia, \$20; and to the Province of Nova Scotia, 98 cents.

From the above it will be seen how unequal, not to say unfair, the distribution among the Provinces is. New Brunswick, with a population of upwards of 100,000 less than that of Nova Scotia, receives \$45,698.86 more in the way of subsidy; while Prince Edward Island, with only one-fourth the population of this Province, obtains a subsidy nearly half as large as that of Nova Scotia.

It has been shown conclusively, in the memorial already referred to, that from \$100,000 to \$160,000 per annum will be required in order that the revenue may be able to meet the ordinary expenditure.

But, besides the inequality of the subsidy in comparison with that of the other Provinces named, and its inadequacy for the public requirements, there are other grounds why an increased allowance should be made to Nova Scotia.

By a re-arrangement of the public debt of this Province it was agreed that instead of \$8,000,000, as given in the British North America Act, the amount should be \$9,186,756, to which the sum of \$1,544,270 was added in 1873, when \$10,506,088.84 was added to the debt account of Ontario and Quebec (the old Province of Canada). Now, if it was considered only an act of justice that this additional amount should be allowed to the debt account in 1873, there can be little doubt but the allowance should have been granted from the date of Confederation. Six years, however, elapsed before a decision was reached on this subject, but having been reached, its operation, equitably considered, ought to be retrospective, or, in other words, that it should date from July, 1867, instead of 1873.

Regarding the matter in this light, there is due to this Province the interest on \$1,544,270 for six years, from 1867 till 1873, when the Act for the readjustment of the amounts payable to the Provinces was passed.

The first section of this Act is very clear: "In the accounts between the several Provinces of Canada and the Dominion the amounts payable to and chargeable against the said Provinces respectively, in so far as they depend on the amount of debt with which each Province entered the Union, shall be calculated and allowed as if the



sum fixed by the one hundredth and twelfth section of the 'British North America Act, 1867,' were increased from sixty-two million five hundred thousand dollars to the sum of seventy-three million six thousand and eighty-eight dollars and eighty-four cents, and as if the amount fixed as aforesaid, as respects the Provinces of Nova Scotia and New Brunswick, by the 'British North America Act, 1867,' and as respects the Provinces of British Columbia and Manitoba by the terms and conditions on which they were admitted into the Dominion, were increased in the same proportion."

By this Act \$1,544,270 was added to the public debt of this Province, but which, under the terms of the section of the Act quoted above, should be calculated and allowed as if the sum fixed by the British North America Act was increased from \$62,500,000 to \$73,006,088.84.

The interest on \$1,544,270, then, should be allowed from 1867 to 1873, on the same ground that it has been allowed from 1873 till now. If this is correct, the Dominion Government ought to allow to the Province of Nova Scotia the sum of \$463,281, being the interest on the above named amount for six years at 5 per cent. per annum. Also the interest on \$463,281 from 1873 to 1879, six years, at 5 per cent., \$138,984.30, making a total of \$602,265.30.

It may be argued that if this amount be conceded to Nova Scotia the other Provinces will have a similar claim, which must also be allowed. There can be little doubt of this; and the fact goes far to prove the necessity of a reconsideration and a revision of the whole question of provincial subsidies. I trust the subject will receive the early and serious consideration of the Dominion Government.

It has already been shown that the revenue of Nova Scotia is altogether unequal to the necessities of the Province, and this fact is made still more conclusive from the experience of the current year.

The probable revenue of 1879 was estimated at \$532,240; but we are now within a few days of the close of the financial year, and it is evident that the receipts of the year will not exceed \$460,000, while the expenditure will not be less than \$530,000, showing a deficiency for the year of at least \$70,000.

This added to the liability which existed on the 31st of December, of \$355,406.50, presents a discouraging prospect as to our future financial condition, and affords an additional argument why the ten years' grant of \$82,628 should have been renewed in 1878. Its renewal, for a period of years to be agreed upon, I would, therefore, respectfully urge upon the favorable consideration of your Government. The receipt of such a sum, though it would not be equal to our requirements, would afford a material alleviation of our present financial position. Indeed, it is now more necessary than it was during any year between 1868 and 1878.

During that decade the amount at the disposal of the Provincial Government averaged fully \$650,000 per annum. With increasing population, the expenditure connected with the various provincial sources ought naturally to increase, if they are to be kept on the same efficient footing. It happens, unfortunately, however, that the sources of revenue exhibit a falling off in every direction. The amount received from the Dominion Government has not only largely decreased, but the receipts from the royalty on coal, &c., from our Crown lands, as well as the amount received from the lunatic asylum, show a large diminution compared with former years.

As has been already stated, we cannot count upon a revenue from all sources, at present, of more than \$460,000 per annum, whereas our expenditure, even after having reduced our road service to the extent of \$85,000 a year, and every other service as far as it was possible within the limits of efficiency, will be between \$500,000 and \$600,000 for the current year. This fact alone ought to be accepted as a sufficient argument for the restoration of an allowance which should never have been taken away.

On the 6th of October, ultimo, a letter from this office was addressed to the Deputy Minister of Finance, calling his attention to the sum of \$19,873.08 on account of money order office at the date of Confederation, and also of \$8,367.77 on account of Halifax post office, making \$28,240.85 altogether charged against this

Province. The Hon. Mr. Hill, the former Provincial Secretary, protested strongly at the time against this charge being placed in the debt account, which protest was repeated in the letter of the above date, but to which no answer has yet been returned. I would respectfully ask your early attention to this matter.

There is still another item requiring attention and readjustment.

The sum of \$58,964.30 was paid by the Dominion Government to Nova Scotia for lighthouse and railway stores taken over in 1867. This amount should have been paid at the time the material in question was delivered, but was not allowed till the year 1878, a period of eleven years having elapsed between the dates of delivery and payment. The interest accruing during these eleven years is, it is quite evident, a liability of the Dominion, equitably due to this Province, and it amounts now to the considerable sum of \$32,430.40.

As the time is approaching for the meeting of the House of Assembly, the Provincial Government are naturally anxious to be in a position to lay such information before the House and the country as will hold out a definite prospect of improvement in our financial condition.

To place the matter in the briefest compass, our present condition is this: We receive from the Dominion Government, in the form of subsidy, \$380,000; from royalty on coal and gold, this year not more than \$40,000; from Crown lands, between \$6,000 and \$7,000, which will just about meet departmental expenses, leaving nothing for revenue; while the various minor sources of income will not exceed \$30,000 in all—or a total of \$457,000, an amount very slightly in excess of the New Brunswick subsidy alone, leaving out its territorial revenue altogether.

Out of this \$457,000, \$205,000 has been given to education service; \$87,500 was voted for roads and bridges, but one-third had to be added to this expenditure in consequence of the destruction to bridges caused by a storm which swept the whole eastern coast of the Province.

Had this not been done, mail communication in many places would have been brought to a stand, to say nothing of the interruption to travel and traffic over many of our public highways.

These two great services thus absorbed nearly \$322,000 of our whole revenue, leaving only \$135,000 to meet all other services. The principal of these are: Legislative expenses, grants for agriculture, poor's asylum, city and provincial hospital, departmental expenses, salaries, expenses connected with local works and mines, interest and miscellaneous expenditure. Last year these various services required \$334,838, and during the current year will absorb about \$200,000.

The facts make our financial position sufficiently clear without further comment.

In discussing the points thus brought under the notice of your Government, I have written with frankness and respectful earnestness. The finances of the Province necessitate immediate consideration.

As we stand at present, each succeeding year will only intensify and increase the present embarrassment, which must result, unless relief is extended, in difficulties of the most serious kind.

The pressing character of the subject of this communication will, I trust, be accepted as a sufficient excuse for the urgent manner in which it is brought before you.

I have the honor to be, Sir, your obedient servant,

S. H. HOLMES, *Provincial Secretary.*

Right. Hon. Sir JOHN A. MACDONALD, K.C.B.,

Minister of the Interior, Ottawa.

PROVINCIAL SECRETARY'S OFFICE, HALIFAX, 6th January, 1880.

SIR,—I am instructed by the Provincial Secretary to acknowledge the receipt of subsidy account for half year ended 31st December, 1879, and to ask your attention to what he believes to be an error in the said account, to the amount of \$28,240.85.



The above sum must be the old post office account charged against the debt account of the Province, though protested against by both the late and present Provincial Governments.

This charge the Provincial Secretary directs me to inform you the Government refuse to acknowledge. They hope it will be withdrawn.

I have the honor to be, Sir, yours respectfully.

JOHN COSTLEY, *Deputy Secretary.*

J. M. COURTNEY, Esq., Deputy of Minister of Finance.

OTTAWA, 17th February, 1880.

SIR,—Referring to the interview which took place yesterday between the delegates from Nova Scotia and you, respecting the financial condition of the Province, the undersigned beg leave to suggest the following in addition to the subjects embraced in their memorial of 20th December last:—

At present the coal owners of Nova Scotia pay to the Government a duty, or royalty, of 10 cents per ton; we propose that the Dominion Government should relieve the coal owners of this royalty, and pay the Province of Nova Scotia a compensation for the same \$200,000 per annum—the arrangement to be and continue in force for five years.

The great advantages that would result from this action to the coal interests of Nova Scotia would, in the opinion of the undersigned, be equivalent to those that might be derived from imposing an additional duty of 25 cents per ton on foreign coal, while at the same time it would enable the people of the Dominion to receive their coal at a cheaper rate.

This concession to Nova Scotia has a precedent in the commutation of the export duty on lumber in New Brunswick, and is attended with such advantages that it is unnecessary to enlarge upon them, while it will enable Nova Scotia to provide for the ordinary local services of the Province.

We have the honor to be, Sir, your obedient servants,

S. H. HOLMES,

CHARLES J. TOWNSHEND.

Sir LEONARD TILLEY, Minister of Finance.

*To His Excellency the Right Hon. John George Henry Douglas Sutherland Campbell Marquis of Lorne, Knight of the Thistle, Knight Grand Cross of St. Michael and St. George, Governor General and Commander-in-Chief in and over the Dominion of Canada, &c., &c.*

MAY IT PLEASE YOUR EXCELLENCY:—

We, the members of the Legislative Council and House of Assembly of the Province of Nova Scotia, in legislative session convened, beg leave to approach Your Excellency for the purpose of representing,—

That we are desirous of again asking Your Excellency's attention to the position of financial embarrassment in which this Province is involved, and what is, in our opinion, the urgent necessity of some means of relieving that embarrassment.

That towards the close of last Session of this Legislature, an Address was sent to Your Excellency from each branch, expressing the deep sense of uneasiness which possessed us in view of the fact that our revenue had become inadequate to maintain the various public services in the manner in which we had been accustomed.

That attention had previously been called to this subject by a memorial from the Provincial Secretary, addressed to the leader of Your Excellency's Government, to which Your Excellency's attention was directed, as conveying a full statement of our requirements, and that we beg to assure Your Excellency that we now find our position much more perplexing, in consequence of the fact that up to this time no answer has been returned to our Address, or to the memorial addressed by the Government of Nova Scotia to the Dominion Government.

That as no improvement has occurred in the financial position of this Province, we would again beg, in the most earnest manner, to direct Your Excellency's attention to our necessities, and the means of relief which we venture to suggest as reasonably due to us.

That the memorials of 2nd January and 22nd December, 1879, addressed to the Right Hon. Sir John A. Macdonald by the Government of Nova Scotia, and the Address of the Legislature last year, fully set out the requirements of this Province, and to them we would beg to refer Your Excellency for this statement in detail.

That we would now endeavor to add such a view of our provincial position relatively to the sister Provinces as must, we think, conclusively show that we are entitled to such an addition to our revenue as was asked for by us last year.

That, as it is shown by the documents above referred to, that our provincial revenues no longer equal the expenditure, as heretofore established, two courses are open to the Provincial Government in the event of a failure to obtain any addition to our revenues, either to reduce the provincial grants to a sum within the present revenue, or, by direct taxation, raise a revenue which would enable them to maintain those grants at their ordinary amount.

That we must unite in representing to Your Excellency that either of these alternatives would be a course much dreaded by us, and which could only be adopted when forced upon us by absolute necessity.

That the diminution of our principal provincial grants, those to education, road maintenance and agriculture, would be a most unwise and dangerous economy, as these are even now at the lowest point consistent with efficiency. That on the contrary, an increase of the grant to roads and bridges would be an ultimate economy, enabling the Province to replace with permanent structures those of a temporary character, on which we now depend.

That these grants add directly to the material prosperity and elevate the position of our citizens and of the Province, and any reduction in them would inevitably tend to a much greater reduction in the financial strength of the Province.

That we are firmly of the opinion that direct taxation is impossible, in the present circumstances of the Province, and would really be to many of the inhabitants an intolerable burden.

That we, therefore, under these circumstances, look to the Dominion, which has, under the British North America Act, power to act in such cases, feeling confident that their attentive consideration of our relative position, whether as to the cost of our public services or to the amount of our income will show the justice and necessity of adding to our revenue.

That here we would beg to call Your Excellency's attention to the fact that some branches of the public service, and those absolutely essential to the comfort, and also most important to the success of the people of this Province, are much more costly than in Ontario or Quebec.

That owing to the hilly surface of our country, and our extensive coast line, broken by innumerable rivers and inlets, our road system is much longer than in a level country, it being necessary to avoid all large hills, and have a main road running along each side of the rivers, and making long detours about the arms of the sea. Again, the very numerous inlets and rivers necessitate a very great number of bridges, which are extremely costly to build and maintain, and have, in late years, nearly absorbed the whole of our road grant.

That, furthermore, the consideration of the amount and sources of our revenue will show that in reference to our territorial resources, at least, we are at a great and manifest disadvantage. That our subsidy is smaller in proportion than that of New Brunswick or Prince Edward Island, and is more nearly in proportion to that of Ontario and Quebec. Compared with these, however, our territorial revenue is smaller, and thus, as compared with any of the sister Provinces, we are at a disadvantage, having less subsidy than those of equal territorial revenue, and less territorial revenue than those which have nearly equal subsidy.



That we would ask Your Excellency's attention to this matter of territorial resources, as being a point upon which we think we can found a just claim for an addition to our revenue.

That our territorial possessions, which are largely in the rich fishing waters of our coast, have been taken possession of by the Dominion Government, while those of the larger Provinces, consisting mainly of main land, have not only not been taken away from them, but are in process of being increased.

That these territorial possessions thus lost to this Province are of great value is clearly proved by the amount of the Halifax fishery award. That it thus becomes evident that we are suffering this disadvantage, that our territorial revenues are received by the Dominion Government, while those Provinces above referred to are still in their possession, and this being the case, it surely cannot be disputed that some acknowledgment of this inequality should be made in the adjustment of the various provincial subsidies.

That we wish to convey to Your Excellency that the people of Nova Scotia, as represented by us, are strongly of opinion that the property of the Halifax award, made in consideration of the concession of privileges in the Nova Scotia waters, should be added to the revenue of this Province. That if this opinion be disputed, it must at least be admitted that if this amount is to be gained by the Dominion, and so lost by this Province, a very strong reason is furnished why some other measure should be devised to relieve her from financial difficulties. which, under other circumstances, the award would have removed. That we are of opinion that such proportion of the award as was paid for the privilege of using the shores of this Province for the purpose of drying nets and curing fish, and otherwise participating in the fisheries of Nova Scotia, is clearly due this Province, and should be at once ascertained and paid over.

That feeling that Your Excellency will agree with us in the opinion that the welfare of each Province is an addition to the material strength and prosperity, and that the statement of our necessities thus forms a very strong plea in our favor, when, in addition, we have shown that our revenue has diminished through the acquisition by the Dominion of a portion of our territorial resources, we become confident of success in appealing to that spirit of justice which we are assured is the only motive by which Your Excellency can be influenced.

That we would beg Your Excellency's attention to the various claims advanced by the Provincial Government for interest on our debt and on the value of the railway stores acquired by the Dominion Government and the amounts in dispute in reference to the post office savings banks accounts.

That we desire to convey these representations to Your Excellency with the assurance of our highest respect and confidence, and awaiting a reply with the greatest anxiety, being convinced that this Province has reached the gravest crisis in her history since the date of Confederation of the British North American Provinces.

On a report dated 14th February, 1880, from the Hon. the Minister of Finance, stating that he has had under consideration several communications from the Government of Nova Scotia respecting entries made by the Dominion Government in the debt account of the Province, and also respecting the general financial position of Nova Scotia.

The Committee concur in the views and recommendations submitted in said report, and advise that the same be approved and adopted.

The undersigned has the honor to report that he has had under consideration several communications from the Government of Nova Scotia, respecting entries made by the Dominion Government in the debt account of the Province, and also respecting the general financial position of Nova Scotia.

FINANCE DEPARTMENT, OTTAWA, 14th February, 1880.

The undersigned proposes to take up each subject separately, and,

Firstly. In the debt account, under date of 4th February, 1878, a charge was entered of \$19,873.08, being, as is stated in the Public Accounts, the amount ascertained to be due by the Provincial Government on account of money orders at the era

of Confederation. This entry the Hon. the Provincial Secretary desires to have reversed.

The undersigned has caused enquiries to be made respecting this charge, and he finds that the amount in question is the balance established to be due by the Province on the 1st July, 1867, and is made up of monies received on orders prior to that date and paid by the Dominion Government after, and also from deficiencies in commissions charged by the local money order officers prior to Confederation. The amount in question was placed in a suspense account, under authority of an Order in Council of 5th November, 1874, and was removed therefrom when a settlement was arrived at of the values of items involved in a counter claim.

The undersigned regrets that he cannot recommend that this entry should be reversed, and he finds that on several occasions the Local Government were advised of the claim.

Secondly. A charge was made by the Dominion Government, in the debt account of the Province, under date of 4th February, 1878, of \$2,367.77, being amount ascertained to be due by Provincial Government of Nova Scotia on account of Halifax post office. This amount the Provincial Secretary also desires to be reversed.

On enquiry into this charge the undersigned finds that the amount in question is the extent of a defalcation in the accounts of the clerk in charge of the money order business of the Halifax post office; that the defalcation was detected in the summer of 1873, and the Deputy Postmaster General reports that it had arisen since Confederation.

The undersigned recommends that the Province account be credited with the amount as from 4th February, 1878, and that the same be charged to the consolidated fund.

Thirdly. The Hon. the Provincial Secretary claims that interest at 5 per cent. from the 1st of July, 1867, until 11th March, 1878, should be allowed on \$58,964.38, being an amount credited on the latter date in the debt account for the ascertained value of the oil, wood and sum on hand on the 1st July, 1867 (lighthouse and railway stores), and taken by the Dominion Government.

The undersigned finds that in the autumn of 1877 Mr. Hill, the then Provincial Secretary of Nova Scotia, was at Fredericton, N.B., attending a conference to discuss a legislative union of the Maritime Provinces; that while there, in looking over the records of the House of Assembly of New Brunswick, he discovered that some years previously the Dominion had allowed New Brunswick the value of the lighthouse and railway stores, held by that Province at Confederation. Mr. Hill, on his return to Halifax, prepared a memorial, and sent in a claim for \$72,048.78. The claim was examined and an amount of \$58,964.38 was, after consideration of the allowance made to New Brunswick, sanctioned by Order in Council of 11th March, 1878.

The undersigned further finds that no interest was claimed by Mr. Hill, and, consequently, none was allowed; but it is undoubtedly true that interest was allowed to New Brunswick at the time credit was given to that Province for the value of its stores. The amount in question claimed is about \$30,000, and the undersigned has only, after great consideration, arrived at the conclusion to recommend to Council that the same should be allowed, and should be charged to the consolidated fund.

The undersigned thinks it but right and proper to call the attention of Council to an item in the Dominion balance sheet, which, in his opinion, is properly chargeable to Nova Scotia, and which he recommends should be formally claimed from the Local Government.

The account in question is called the Province of Nova Scotia Railway Account Suspense, and the amount at its debit is \$31,295.20. The origin of the account is as follows:—

At the time of the completion of the Truro and Pictou Railway certain claims for extras were made by Mr. Fleming, of which the Dominion assumed one part, \$47,498.03, and the Province, by Minute of their Executive Council, in October, 1869, assumed the other \$17,747.49. When the current account of Mr. Fleming came to be adjusted it was found that he was entitled to receive a balance of \$63,092.92, of



which the Dominion paid its \$47,498.03, and the Province only \$15,594.89. When, however, for the purpose of adjusting the debt, the whole cost of the railway was taken into account it was found that the difference between the payment to Mr. Fleming of the balance of his account and the full amount of the extras was never taken into account, and a suspense account was opened for this difference, \$31,295.20. A copy of the account showing the transactions in full was handed to the late Provincial Secretary, and the undersigned is decidedly of opinion that the account should now be closed.

Fourthly. The Provincial Secretary, under date of the 2nd January, 1879, in a long memorial setting forth the financial position of the Province, made an application for a readjustment of the annual subsidy, or failing that method, an annual grant should be made to the Province of \$100,000, being interest in the share of the fishery award presumed to belong to Nova Scotia. This memorial has been supported by Addresses from the Legislative Council and Legislative Assembly of the Province, and a further memorial on the same subject under date of the 20th December, 1879, has since been received.

The undersigned, in receipt of the above references, transferred them to the Deputy Minister of Finance, with instructions to examine the facts set forth and prepare a memorandum on the subject. The undersigned has carefully considered the memorials and the memoranda prepared by his deputy, and as the conclusions arrived at differ, he recommends that copies of the memoranda be prepared and despatched to the Provincial Government.

Respectfully submitted,

S. L. TILLEY, *Minister of Finance.*

*MEMORANDUM on the application of the Provincial Secretary of Nova Scotia for an increased Annual Grant to his Province.*

This is an application from the Government of Nova Scotia, setting forth the financial position of the Province, and stating that the estimated total revenue coming to the Government will, for the future, be \$455,000, while the expenditure is estimated at \$600,000, there will be a deficit to provide for annually of \$145,000; and praying that, under the circumstances, the annual subsidy be readjusted, or that an annual payment be made to the Province of \$100,000, being interest on the share of the fishery award presumed to belong to the Province.

Before making any remark on the memorial, it is but right to turn to the settlement arrived at in 1869 between the then Finance Minister, Sir John Rose, and Messrs. Howe and McLelan, by which the debt of Nova Scotia on entering the Union was fixed at \$9,118,756, and an additional amount was granted from the 1st July, 1867, on account of annual subsidy for ten years of \$82,698. Sir John Rose stated at that time that he had carefully analyzed the estimated total expenditure of Nova Scotia for the year 1868-69, in conjunction with gentlemen representing that Province, and he believed that if the proposed arrangements were carried out Nova Scotia would have sufficient means at her disposal to meet those services which devolved upon her by the terms of the Union Act, provided they were placed on a moderate footing. If, on the contrary, the Province has to depend upon the provision made by the existing terms of the Union Act, no inconsiderable deficiency would have to be met by direct taxation.

The arrangement entered into by Sir John Rose with Messrs. Howe and McLelan was afterwards ratified by the Parliament of Canada by 32 Vic., chap. 2, in which it is stated, in the 5th clause, that the grants and provisions made by this Act and the British North America Act of 1867 shall be in full settlement of all demands on Canada by Nova Scotia. In consequence of this Act the Province of Nova Scotia, after paying all claims, had a balance at its credit, on the 30th June, 1868, of \$924,453.33. By the Dominion Act, 33 Vic., chap. 30, readjusting the amounts payable and chargeable to the several Provinces, the increased amount of \$1,344,700 was allowed to Nova Scotia on account of its debt; and by 37 Vic., chap. 3, a further amount was allowed of \$190,490. Had these amounts been capitalized together with the balance of debt remaining on the 30th June, 1868, the principal amount would

have been \$2,468,723.33, which, at 5 per cent., would give an annual interest of \$123,436.16.

It appears, however, by the memorial now presented, that both political parties in Nova Scotia were in accord that the amount of the debt belonging to the Province should be appropriated to the construction of public works, to further inter-communication, and to promote the interests of the people. It is but right to notice that the whole amount has been pledged, and that further liability has been incurred. The amount so spent and pledged does not appear to have been employed in construction of remunerative public works, but has been spent in subsidies of so much per mile on lines of railway under construction (\$500,000 additional deficit has been incurred).

The late Premier of Nova Scotia, on the 18th January, 1877, placed himself in communication with Mr. Mackenzie, requesting an increased annual subsidy, or that the subsidy which had been granted for ten years should be renewed. A memorandum was drawn up by the Minister of Finance, recommending that the application should not be entertained, and giving reasons therefor. A copy of this memorandum is annexed.

I have now shown that with the consent of both political parties the whole of the capital of the province has been spent; that the settlement arrived at in 1869 was in full of all future demands; and I will now proceed to show that in my opinion the estimates of income and expenditure submitted in the memorial are inaccurate. Taking, first, the revenue, the amount set forth as likely to be the normal annual receipts in future is \$445,000; of this the sum of \$380,000 is assumed as the annual receipt of the Province from the Dominion in the shape of subsidy. This amount I do not question. The next item set forth is that of royalty from coal and gold mines, which the Hon. the Provincial Secretary estimates at \$50,000. This appears to be greatly underestimated, as at the time of the greatest depression the amount received has never been less than that sum, and its average since Confederation has been fully \$70,000 or \$80,000. I should place the amount to be received under this head as \$70,000 instead of \$50,000. The next item is that of Crown lands, \$6,000. Probably this may be about right, although it has varied from \$32,000, in 1873, to \$6,600 in 1876, and in 1877 it increased to \$7,000. It is just possible the estimate of \$6,000 is too little. The item of the fees received in the Provincial Secretary's office, amounting to \$6,000, is, I take it, also underestimated, though I can hardly say to what extent, while the main item of casual revenue, \$3,000, I believe also to be under the mark, as I imagine that the receipts from the *Royal Gazette* alone will be largely in excess of that amount. No account appears to be taken in the estimated revenue of any sums to be received from the collection of old debts, such as royalties from mines, advances for road purposes, and debts due to the insane asylum, which, by the financial statement, reach \$231,749.49. It is surely not too much to expect that some of these will be repaid. Although nothing is ascertained in the estimate of revenues of receipts likely to be derived from hospitals and asylums, I presume there are such receipts, but it is just possible that the estimated expenditures and only the net expenditure are shown. If such is the case, it would have been better to have submitted the totals of both sides of the accounts of these services. Taking the whole revenue, including the collection of old debts and excluding any receipts from asylums, I estimate the normal revenue of the Province at about \$500,000.

I now come to the expenditure side, which is estimated to be at least \$600,000. Leaving out of the question the remaining items of the \$600,000, \$200,000 is required for education alone, and \$180,000 for roads and bridges. With reference to the education expenditure, I find that the amount paid in 1865 for that service was \$165,000. Probably the increase under this head is due to advances made to the several counties for the erection of school buildings and other purposes, which may be repayable; and I am borne out by reference to the financial report for the year 1877, in which is inserted, under the head of education, a loan to the counties by the Government of \$50,707. Probably this service may be reduced. With respect to the



other large item, roads and bridges, the memorial itself sets forth that the system of maintaining roads and bridges is not the best that could be devised, and that it is just possible that the large sum now laid out is not spent to the best advantage. Throwing aside altogether the amounts paid to the counties, it is worth a thought whether the present efficiency of the roads could not be maintained for less money. On the whole, looking to the debts due on account of road advances in 1868, and the debt now stated in the memorial to be due, I am convinced that this item could be cut down largely.

The other minor expenditure scarcely demands any alteration. The item for legislation may be reduced, and it is possible that, on consideration and examination, some others may be greatly diminished. On the whole, it appears to me that the normal expenditure of the Province might be brought down to about \$520,000, or \$530,000, at the outside.

I have only to add that from the financial returns rendered there is great difficulty in making up any accurate statement. The accounts do not appear to have been kept in the best manner. There seems to have been a total absence of control over expenditures, and large sums seem to have been given out from the treasury in accountable warrants for educational and other purposes. I have no doubt that if a better system of check were instituted, and if the public moneys were husbanded with greater frugality, much of the apparent deficiency which now exists would, after a time, disappear, and that in course of time an equilibrium might be established between receipts and expenditure.

I may add that since the memorial was submitted the proceedings of the last Session of the Local House have reached Ottawa, and I find the revenue in the Budget Speech estimated at \$532,240, and the expenditure at \$533,143.49, bearing out my estimates.

I annex the statement as submitted to the Local House.

J. M. COURTNEY, *Deputy Minister of Finance.*

FINANCE DEPARTMENT, OTTAWA, 29th December, 1879.

#### REVENUES.

Subsidy.....	\$380,240 00
Mines (royalties).....	70,000 00
Crown lands.....	6,500 00
Hospitals for insane.....	35,000 00
Provincial Secretary, office fees.....	7,000 00
<i>Royal Gazette</i> .....	3,500 00
Collection, old debts.....	30,000 00
	<hr/>
	\$532,240 00

#### EXPENDITURE.

Agriculture.....	\$ 12,000 00
Contingencies.....	700 00
Criminal prosecutions.....	2,000 00
Education.....	200,000 00
Crown lands.....	7,000 00
Immigration.....	500 00
Interest.....	18,000 00
Legislative expenses.....	34,000 00
Local works.....	10,000 00
Hospital for insane.....	50,000 00
Department of Mines.....	5,000 00
Miscellaneous.....	29,623 49
Poor asylum.....	16,000 00
Provincial and city hospital.....	4,000 00

Printing.....	7,000 00
Salaries.....	16,850 00
Steamboats.....	23,570 00
Transient poor dispensary.....	2,200 00
Medical college.....	800 00
Deaf and dumb asylum.....	1,000 00
Blind asylum.....	800 00
Inebriate asylum.....	600 00
Bonds maturing.....	5,000 00
Roads and bridges.....	85,500 00
	<hr/>
	\$532,143 49

## MEMORANDUM.

The Minister of Finance, to whom has been referred the application of the Government of Nova Scotia for the renewal of the special grant of \$82,698, made to that Province at or shortly after the period of its entering Confederation, which grant will expire on the 1st July next, begs leave to observe:—

1. That since the original grant of this allowance, the position of Nova Scotia has been materially changed as regards the older Provinces, by the Act of 1869, when an addition of \$1,186,756 was made to the debt with which Nova Scotia was allowed to enter the Union.

2. That there is now paid out of the Dominion exchequer an amount of \$150,000 to Nova Scotia (with a population, as shown by the census of 1871, of 387,800), exclusive of the special grant now about to lapse.

3. Deducting from this sum the interest allowed on debt not yet drawn, the amount received by Nova Scotia is \$370,240, which will continue to augment until the population reaches the number of 400,000 souls; whereas, Ontario, with a population of 1,620,851, only receives \$1,196,872, and Quebec with a population of 1,191,516, only receives \$959,252. The Province of Nova Scotia is therefore in receipt of a larger sum, according to population, than either of the two larger Provinces.

4. The undersigned is fully aware that the expenses of maintaining a Government in a small Province are relatively greater than in those of larger dimensions; but in view of the facts above mentioned, the undersigned must express his unqualified conviction that no additional allowance can be made to Nova Scotia without involving similar grants to the other Provinces.

Moreover, an examination of taxation *per capita* paid by the people of Nova Scotia seems to show conclusively that in this event they would probably be compelled to pay more into the exchequer of the Dominion than they could possibly receive again.

5. The undersigned further observes that an examination of the disbursements incurred by the Province of Nova Scotia shows clearly that a very large proportion, amounting to no less a sum than \$380,000, out of a total of \$665,914, was expended on education and the maintenance of roads and bridges, both of which services are, to a very large extent, defrayed in the other Provinces from direct and local taxation.

6. In view of the enormous engagements to which the Dominion of Canada is now committed, and in view of the inexpediency of disturbing the present financial arrangements of the several Provinces, the undersigned feels it his duty to recommend, in the strongest manner possible, that no addition be made to the fixed annual charges now existing, by a continuance of the sum asked for.

R. J. CARTWRIGHT, *Minister of Finance.*

FINANCE DEPARTMENT, OTTAWA, 12th February, 1877.

*Further Memorandum on the Affairs of the Province of Nova Scotia.*

Since my first memorandum was prepared, a further communication has been received from the Hon. the Provincial Secretary of Nova Scotia on the fiscal affairs of his Province.



The communication begins by stating that a further deficiency has been incurred during the year of \$75,000, and it then proceeds to show, by a comparative statement with the amounts paid by Canada to the other Provinces, that Nova Scotia receives less from the Dominion treasury in proportion than it should, or, in the words of the letter, it appears to greater disadvantage than the sister Provinces of the Dominion. I think that an examination of the statement will hardly bear out the conclusions arrived at by the Provincial Secretary.

The amounts paid to the Provinces of Ontario and Quebec are not elaborated in the *per capita* comparison. No mention is made of the fact that in Manitoba the population, since 1871, has increased sevenfold, and that the subsidy has had to be adjusted in consequence, and in the cases of Prince Edward Island and British Columbia there still remains capital bearing interest; nor does the letter mention that whereas the Provinces of Ontario and Quebec are paid their subsidies on the population of the Provinces as ascertained by the census of 1861, in the case of Nova Scotia the subsidy proper is adjusted and increased every ten years, until the population numbers 400,000.

Taking all these facts into consideration, the value of the comparative statement is, in a great measure, destroyed.

A further argument to increase the amount payable to Nova Scotia is based upon the wording of the Act of 1873, 36 Vic., chap. 30, and to be brief, the Provincial Secretary contends that this Act ought to be considered as retrospective, and that, in consequence, in addition to the amount \$1,544,270 added to the public debt of the Province, there should be added six years' interest thereon, from 1867 to 1873, or \$463,231, and having started with this assumption, a further amount of interest, from 1873 to 1879, on this \$463,281 is claimed \$138,984.30, or in other words, that the debt of the Province should be credited with \$602,265.30. The Provincial Secretary cites the 1st section of the Act in support of his view, and I am bound to say that he is not alone in his manner of interpreting the Act. The late and present Premiers of the Province of Quebec have advanced the same argument as is now used, but in answer to this may be quoted the preamble of the Act, which the Provincial Secretary appears to have overlooked:

"And whereas it is expedient to relieve the said Provinces of Ontario and Quebec from the said charge, and for that purpose hereafter to consider the fixed amount in their case as increased by the said sum of ten millions five hundred and six thousand and eighty-eight dollars and eighty-four cents, and to compensate the other Provinces for this addition to the general debt of Canada. Therefore Her Majesty, &c.;" and by the 2nd section it is declared: "That the subsidies to the several Provinces in July, one thousand eight hundred and seventy-three, shall be paid in accordance with the foregoing provisions of this Act."

My interpretation differs from that given by the Premiers of Quebec and Nova Scotia, and as it is a matter of law, I would venture to suggest that this point be submitted elsewhere for decision. The gist of the letter lies in the fact that at the date it was written, within a few days of the close of the year, it was presumed, and I suppose is a fact—that the expenditure of the Province for the year would be \$530,000. This was the amount estimated as likely to be required, but it should be noticed that this expenditure includes a sum of \$40,000 paid for reconstruction of bridges carried away by the severe storm which swept the eastern coast of the Province. Had it not been for this outlay the expenditure would have been somewhere under \$500,000, but looking at the condition of the Province, I do not see how its affairs can be carried on at any less cost. The revenue during the year was \$460,000, and hence the deficiency mentioned in the early part of the letter; but I do not think \$460,000 should be taken as the average revenue; the past year has been disastrous everywhere, and I imagine that by the increased shipments of coal the revenue will be greatly increased, and as times improve I have no doubt some of the due debts may be recovered. I am still inclined, on the whole, to think that my first estimates were correct.

On the money order charges and the claim for interest on the amount allowed for lighthouse stores I have reported elsewhere.

But the question is not, after all, whether Nova Scotia gets more or less than its sister Provinces, or whether an Act of Parliament is to be considered as retrospective or not. It is an undoubted fact that with all said and done, the Province will be barely able to pay its way, if, indeed, in the future, it will be able to do as much. The question is one of granting better terms, and if the principle is conceded in the case of Nova Scotia, it will have to be conceded all round; in fact, Mr. Holmes says as much, when basing his application for relief in the wording of the Act 36 Vic., chap. 30, and it is for the Ministry to say whether, under the circumstances, they are prepared to ask Parliament to readjust the provincial subsidies.

J. M. COURTNEY, *Deputy Minister Finance.*

FINANCE DEPARTMENT, OTTAWA, 7th January, 1880.

## PROVINCE OF NEW BRUNSWICK—INCREASE OF SUBSIDY.

*"Message to the House of Assembly, 14th April, 1869.*

"L. A. WILMOT.

"The Lieutenant Governor lays before the House of Assembly a copy of a report of a Committee of the Honorable the Privy Council, approved by His Excellency the Governor General in Council on the 18th September, 1868.

L. A. W.

The document communicated by this Message was read at the Clerk's Table, and is as follows:—

*COPY of a Report of a Committee of the Honorable the Privy Council, approved by His Excellency the Governor General in Council on the 18th September, 1868.*

On a memorandum, dated Ottawa, 16th September, 1868, from the Hon. the Minister of Justice, reporting that after full consideration the following Acts passed by the Legislature of the Province of New Brunswick at its last Session, 31st Vic., should, in his opinion, be left to their operation:—

### 31ST VIC., CHAP. 10.

An Act to authorize the town of Woodstock to aid further in the construction of the Woodstock Railway, and to authorize the Woodstock Railway Company to give security therefor.

### 31ST VIC., CHAP. 57.

An Act to extend the time for the building of the Albert Railway.

With reference to the latter Act, the Minister of Justice thinks it necessary to call the attention of Your Excellency to the fact that the Albert Railway is one of those to which a subsidy was granted by the 27th Vic., chap. 3, of New Brunswick.

That this subsidy is a liability of that Province, for which, under the Union Act, the Dominion must provide. That it is, however, clear that only those liabilities that existed at the time of the Union are to be met by the General Government, and that the obligations to pay the subsidy cannot be extended by the Provincial Legislature by any legislation since that time.

We submit that the attention of the Provincial Government should be called to this, so that they may, should they deem it expedient, submit a measure to the Provincial Legislature, granting a subsidy to the railway, if commenced and completed under the Act in question.

The Committee advise that the two Acts above mentioned be left to their operation, and that the suggestions of the Minister of Justice, with respect to the Act, chap. 57, be approved and acted on.

Certified,

W. H. LEE, *Clerk Privy Council.*



"Message to the House of Assembly, 10th April, 1871.

"L. A. WILMOT.

"The Lieutenant Governor lays before the House of Assembly the following correspondence:—

1. Communication from the Hon. J. A. Beckwith, Provincial Secretary, to the Secretary of State, Ottawa, dated 29th January, 1869.
2. Communication from Mr. Langton, Auditor-General, to Hon. J. A. Beckwith, dated 29th of June, 1870.
3. Communication from the Hon. J. A. Beckwith to the Secretary of State for the Provinces, Ottawa, dated 12th of July, 1870.
4. Despatch from the Lieutenant-Governor to the Secretary of State for the Provinces, dated 14th July, 1870.
5. Answer thereto from the Under Secretary of State for the Provinces, Ottawa, dated 22nd July, 1870.
6. Communication from the Auditor of Public Accounts, Ottawa, to the Assistant Secretary of State for the Provinces, dated 20th July, 1870.
7. Communication from the Hon. J. A. Beckwith to the Lieutenant-Governor, to be transmitted to the Federal Government, dated 1st August, 1870.
8. Despatch from the Lieutenant-Governor to the Secretary of State for the Provinces, forwarding the preceding, dated 2nd August, 1870.
9. Communication from the Hon. J. A. Beckwith to the Hon. the Minister of Finance, Ottawa, dated at Ottawa, 26th of October, 1870.

L. A. W."

The correspondence communicated by this Message was read at the Clerk's Table, and is as followeth:—

#### CLAIMS OF NEW BRUNSWICK AGAINST FEDERAL OR DOMINION GOVERNMENT.

##### (1)

PROVINCIAL SECRETARY'S OFFICE, FREDERICTON, 29th January, 1869.

SIR,—By Mr. ex-Treasurer Robinson's account, as audited, the *prima facie* balance with which New Brunswick went into the Confederation on the 1st July, 1867, was \$5,923,422.86. To this is to be added sums which the Federal Government have paid from time to time for subsidies on railways being constructed in the Province.

Under 107th section of the Act of Union, it is provided that all "stocks, cash, bankers' balances, and securities for money belonging to each Province at the time of Union, except as in this Act mentioned, shall be the property of Canada, and shall be taken in reduction of the amount of the respective debts of the Provinces at the Union."

Under those heads we claim for balances due on the 1st July, 1867, from the following institutions, transferred to the Federal Government:—

1. Balance due the Province on the E. & N. A. Railway, from St. John to Point du Chêne.....	\$119,495 51
2. Balance due on penitentiary account.....	5,349 96
3. do lighthouse do .....	1,264 50
4. do post office do .....	5,500 66

\$131,615 63

You will receive herewith detailed accounts from Mr. Lewis Carvill, the gentleman in charge of the E. & N. A. Railway, and Mr. R. W. Crookshank, in charge of the penitentiary and lighthouses, showing the respective balances to be as here claimed; Mr. Carvill, however, deducting from the railway balance the sum of \$33,769.96, for various causes set forth in his statement, and which sum is herewith deducted until the several items can be mutually discussed and decided upon.

The Hon. Mr. McMillan, in charge of the Post Office Department, states that he cannot yet certify as to the equitable balance actually due from that Department pending the settlement of some items not yet adjusted. Our		\$33,769 96
claim of.....		5,505 66
against that Department is also deducted for the present		39,275 62
		<u>\$92,340 01</u>

Thus leaving an undoubted balance at the credit of the Province, in reduction of our liabilities, to the amount of \$92,340.01.

May I request that you will cause these accounts to be audited, and the above sum of \$92,340.01 placed to the credit of New Brunswick in account with the Federal Government.

I have, &c.,

JOHN A. BECKWITH.

Hon. H. L. LANGEVIN, Secretary of State, Ottawa.

(2)

AUDIT OFFICE, OTTAWA, 29th June, 1870.

SIR,—On the 30th June, 1869, the Province of New Brunswick had exceeded the \$7,000,000 of debt apportioned to it by \$319,822.77.

I did not deduct the interest on this excess of debt from the January subsidy, as I was given to understand that in the settlement in connection with the Eastern Extension the excess would be wiped out. It appears, however, that on 31st December the excess of debt had increased to \$449,330.99. I have, therefore, deducted the half year's interest on both of these sums from the present subsidy, being \$138,089.97, as the balance payable; and I have instructed Mr. Robinson, by telegraph, to pay the amount to your order.

I have the honor, &c.,

JOHN LANGTON, Auditor.

Hon. J. A. BECKWITH.

(3)

PROVINCIAL SECRETARY'S OFFICE, FREDERICTON, 12th July, 1870.

SIR,—I have the honor to acknowledge the receipt of a letter, under date of the 29th ult., from Mr. Auditor Langton, informing me that Paymaster Robinson was instructed to deduct \$19,228.83 from the half year's subsidy due New Brunswick from the Dominion of Canada under the North America Act, as interest on excess of debt over the stipulated seven million dollars.

I further received a telegram from Mr. Robinson, dated the 4th inst., stating that he was also instructed to deduct an additional sum of \$12,000 from the said subsidy, "pending settlement of railway accounts."

On the 29th January, 1869, I addressed a letter to the Hon. Mr. Langevin, Secretary of State for the Dominion, calling his attention to the 107th section of the Act of Union, and requesting that certain items, amounting to the sum of \$92,340.01, being an undoubted balance due the Province under that section, might be placed to our credit in account with the Dominion, and proposing that certain further claims should stand over until the several items could be mutually discussed and decided upon. To this communication no other answer has been received than a mere acknowledgment of its receipt, and I awaited some further action on the part of the Dominion Government before proposing a meeting to adjust the accounts between the Dominion and the Province.

The Provincial Government has not, up to this date, received from the Dominion Government or its Auditor any account current or statement of provincial indebted-



ness from a Dominion standpoint; but we observe from the published accounts of the Dominion for the fiscal year ending 30th June, 1869, that the indebtedness of the Province is assumed to be very heavily in excess of what it actually is under the conditions of the North America Act and the fiscal statement of Mr. Treasurer Robinson, of 30th June, 1867.

It is therefore with feelings of surprise and regret that I observe the very unusual course adopted by the Dominion Government towards this Province, in stopping a portion of our subsidy without previous notice, without furnishing accounts, without action upon my letter of the 29th January, 1869, and without proposing a conference for the adjustment of our respective accounts and claims; and whilst I cannot believe that the Dominion Government is really disposed to exercise the power it possesses, by holding the purse strings in an arbitrary manner, still I must again express my regret at the course which it has thought proper to pursue in its dealings with this Province.

New Brunswick is willing to abide by the conditions of the Act of Confederation, but she expects to have those conditions carried out in a fair and liberal spirit; and before stoppage is made of any portion of her very moderate stipend, she wishes and expects to have her claims, under the Act of the Union, fully investigated, and an equitable adjustment arrived at, in order to which she is ready and desirous to join in the appointment of a commission, furnished with power to adjudicate upon all financial questions at issue between the Dominion and the Province, under the North America Act.

While pressing upon the Dominion Government a desire for its concurrence in this proposal, I must, at the same time, request that Mr. Robinson be forthwith instructed to pay over the balance of subsidy kept back, under orders from Ottawa, and amounting to the sum of \$31,228.83.

I have, &c.,

JOHN A. BECKWITH.

Hon. JOSEPH HOWE, Secretary of State, Ottawa.

(4)

GOVERNMENT HOUSE, NEW BRUNSWICK, 14th July, 1870.

SIR,—I have the honor to forward herewith a communication from the Provincial Secretary, in answer to a communication to him from Mr. Langton of the 29th ultimo. The case, as presented on behalf of this Province, is one which certainly requires, and I am certain will receive, the early attention of the Dominion Government.

It is very embarrassing to my Government to have an undoubted balance (as they consider) of \$92,340 due to this Province, under the 107th section of the "British North America Act," entirely ignored, and, at the same time, have \$19,228 of interest on an alleged excess of debt, and \$12,000 pending settlement of railway accounts, deducted from the half-yearly subsidy. It must be admitted that such a state of things ought not to exist, and I have therefore the honor to request that you will press upon the Dominion Government the great importance, at the present time, for an early and final adjustment of all outstanding accounts between the Dominion and Provincial Governments.

I have, &c.,

L. A. WILMOT, *Lieutenant-Governor*.

Hon. the Secretary of State for the Provinces, Ottawa.

(5)

OTTAWA, 22nd July, 1870.

SIR,—Adverting to your despatch of the 13th instant (14th instant), covering a communication from the Provincial Secretary of the Province of New Brunswick, on the subject of unsettled accounts between the Governments of the Province and the Dominion, I have the honor to transmit to you herewith a copy of a letter from the

Auditor of Public Accounts, in reference to the several matters alluded to by the Provincial Secretary.

I have, &c.,

E. A. MEREDITH, *Under Secretary of State for the Provinces.*

The Hon. L. A. WILMOT, Lieutenant-Governor, Fredericton, N.B.

(6)

AUDIT OFFICE, OTTAWA, 20th July, 1870.

SIR,—I have the honor to acknowledge receipt of a letter from the Lieutenant-Governor of New Brunswick, enclosing one from the Provincial Secretary. They will be laid before the Minister of Finance on his return to Ottawa, and I will take his instructions in the matter.

I may mention in the meantime that the claim of New Brunswick to be allowed for certain railway and other stores was laid before the Minister of Finance of the day, and as no similar allowance had been allowed or claimed by the other Provinces, it was decided that it could not be entertained, and that decision was communicated by me personally to Mr. Beckwith.

As to the interest on the excess of debt, there can be no doubt that it must be deducted from the subsidy, assuming our statement of the debt to be correct. A statement will be furnished to the Province of our several charges against the debt account.

As to the third item complained of, it is a manifest error. The Department of Public Works has an unsettled claim against the Woodstock Branch and the Eastern Extension, and it applied to me, pending the settlement, to deduct it from the next subsidy. My certificate having been sent to the paymaster to pay the subsidy to the Province, I telegraphed to him, if not already paid to deduct this amount. But it was evidently not from the subsidy to the Province, but from the next subsidy to the railway, that the deduction ought to have been made. I have corrected the error, and authorized the paymaster to pay the sum deducted.

Yours, &c.,

J. LANGTON.

E. A. MEREDITH, Esq., Assistant Secretary of Provinces.

(7)

SECRETARY'S OFFICE, 1st August, 1870.

SIR,—I have the honor to acknowledge the receipt of your letter of the 29th July last, covering a copy of a letter from the Dominion Auditor, Mr. Langton, dated the 20th July, and referring to my letter to the Secretary for the Provinces, the Hon. Mr. Howe.

More than five months after the date of my letter of the 29th January, 1869, public business connected with the Eastern Extension Railway took me to Ottawa; whilst there I had an interview with Mr. Langton, and as that gentleman states that he informed me that it was decided by the Minister of Finance that the claim of New Brunswick to be allowed for certain railway and other stores could not be entertained, as no similar allowance had been allowed or claimed by the other Provinces, I must take it for granted that I was so informed, but I certainly did not understand anything that fell from Mr. Langton, in the conversation that took place between us, as bearing that construction, otherwise I would have requested to be furnished with an official answer to my official communication—a mode of procedure which official etiquette entitled us to expect, even if a feeling of courtesy to a Province of the Dominion had not induced the Secretary for the Provinces to furnish it. I cannot for a moment concur in the reason assigned by the Minister of Finance of the day for disposing of our just and legal claims in so autocratic a manner.

We do not ask to be guided by the manner in which the other Provinces are dealt with—we do not even ask concessions similar to those yielded to Nova Scotia—but we ask our rights under the Act of Union. We will not cease asking until we obtain



them, and we regret that the Federal Government should seriously intend to deprive us of them, in contravention of the plain reading of the said Act, and especially the 107th section thereof. Mr. Langton promises that a statement will be furnished to the Province of the several charges against the debt account. I trust it will be a full account of all claims against the Province under the Act of Union. On receipt thereof the Province will be prepared to furnish the Dominion with all claims of offset under the said Act, but until the respective claims be adjusted, either by mutual agreement or otherwise, the Province will expect payment of the subsidy without any deduction, and will feel that every day in which any portion of it continues to be withheld increases the just cause of complaint.

I am happy to acknowledge the receipt of the \$12,000 kept back, as Mr. Langton states, in error. Requesting that you will cause this letter to be transmitted to the Federal Government.

I am, &c., &c.,

JOHN A. BECKWITH.

Hon. L. A. WILMOT, D.C.L., Lieutenant-Governor, &c., &c.

(8)

GOVERNMENT HOUSE, NEW BRUNSWICK, 2nd August, 1870.

SIR,—I have the honor to enclose a communication from the Provincial Secretary, in reference to the letter from the Auditor of Public Accounts, enclosed in your despatch of the 22nd ultimo.

I have, &c.,

L. A. WILMOT, *Lieutenant-Governor*.

Hon. the Secretary of State for the Provinces, Ottawa.

(9)

OTTAWA, 26th October, 1870.

SIR,—Referring to our conversation of yesterday, I beg to submit, for the action of the Dominion Government, the principal items of account which the Province of New Brunswick claims credit for in reduction of its liabilities to the Dominion, viz.:

- |   |              |
|---|--------------|
| 1. Balance due the Province on 30th June, 1867, for advances from the provincial treasury beyond the cost of road and equipment of the E. and N. A. Railway, as per Manager Carvill's account herewith. | \$119,495 51 |
| 2. Balance due on penitentiary account, after deducting the sum of \$10,646.49, paid by the Dominion to John Ferris, for stock for manufacturing purposes, Secretary Crookshank's account herewith      | 5,349 96     |
| 3. Cost of oil delivered to the secretary of the lighthouse service on 30th June, 1867, for the use of the Dominion lighthouses, and paid for by New Brunswick .....                                    | 1,195 00     |
| 4. Balance of post office account with New Brunswick on 30th June, 1867, per provincial audit—(No statement has been received from Inspector McMillan, although repeatedly asked for) .....             | 5,505 66     |
| 6. Short credited the Province on 6 per cent. debentures, purchased with Savings Bank funds. ( <i>Vide Auditor-General Langton's report</i> ) .....   | 735 20       |
| 5. Balance of Indian Fund account, Auditor-General's report .....   | 2,464 21     |

We consider that pending the closing of the Savings Bank accounts, 10 per cent. on the deposits on 30th June, 1867, should be placed to the credit of Provincial account, as was done with Nova Scotia, subject to correction when these accounts are closed. Deposits, \$777,359.85.

Ten per cent. is..... \$77,375.98

New Brunswick also claims credit for the amount of stock she had in the St. Andrews and Canada Railway, which was transferred to Canada under the 107th section of the Act of Union, amounting to \$240,000. We also consider ourselves

justly entitled to credit for the sum of \$150,000, on account of the Eastern Extension Railway, from near Cook's Brook to the Nova Scotia boundary, which has been adopted as part of the Intercolonial Railway, whilst only two hundred and fifty thousand of the four hundred thousand paid by New Brunswick on this account has been refunded.

I beg to refer to my letters of 29th January, 1869, to Mr. Secretary Langevin, and of 12th July, 1870, to Mr. Secretary Howe, also to sections 107 and 108, schedule 3, of the North America Act, and I have to request that I may be favored with an early answer to this communication.

I have, &c.,

JOHN A. BECKWITH.

Hon. FRANCIS HINCKS, Minister of Finance.

Mr. Wedderburn, in pursuance of notice given on the 12th day of April instant, moved the House, in consideration of the following resolution, in reference to the right of this Province to better terms under "The British North America Act":—

Whereas the Province of New Brunswick accepted the scheme of Confederation in good faith, and distinctly, upon the terms fixing the rights and claims, respectively, of the Maritime Provinces of Nova Scotia and New Brunswick, agreed upon by their delegates, and approved by their Legislatures, and ratified by the Imperial Parliament by "The British North America Act, 1867;" and in the opinion of this Honorable House the claims and financial status of the Province of Nova Scotia, in the Dominion, should not have been improved without at the same time granting and securing to this Province a proportionate advance; and by granting to the Province of Nova Scotia increased subsidies and more advantageous financial terms, without increasing the subsidy and improving the financial terms secured to this Province, the fundamental provisions of "The British North America Act," and the solemn compact entered into with the people of New Brunswick, have been re-opened, and materially altered; and whereas the Province of New Brunswick is therefore justly entitled, and should respectfully demand, to have provision made for it to the same extent and value, effect and amount, as the better terms so granted to Nova Scotia are in excess of those actually provided for and granted to the said Province by "The British North America Act."

And whereas, also, the terms granted to the North-West Territory, and offered to Newfoundland and British Columbia, are proportionately largely in advance of those given to this Province, and appear to have been completed on a basis entirely different from that on which the scheme of Confederation was arranged and agreed to; and the arrangements entered into with this Province, subjected to the terms subsequently made with Nova Scotia and Manitoba, and offered to British Columbia and Newfoundland, are inadequate to the actual and pressing requirements, and must, in the opinion of this House, fall far in arrear of the future exigencies of this Province; therefore,

Resolved, That it is the imperative duty, and should be a part of the fixed policy of the Government of this Province, to press, by every constitutional means, upon the Government and Parliament of this Dominion, the right of this Province to, and firmly endeavor to secure better terms under "The British North America Act;"

And also an advance upon the terms originally granted to this Province, to as full an extent as the increased subsidies and better terms subsequently granted to Nova Scotia are in excess of the subsidies and terms actually secured to that Province by "The British North America Act, 1867;"

And also that an humble Address be presented to His Excellency the Lieutenant-Governor, embodying the foregoing preamble and resolves.

The debate thereon being opened and proceeded in—

On motion of Mr. Otty,

Ordered, That the matter of the said resolution be adjourned over until to-morrow at the hour of two o'clock, and that the House do then proceed to the consideration thereof, and resume the debate.



On motion of Mr. Wedderburn,

That the House proceed to the Order of yesterday, to take into consideration the resolutions moved on the 20th day of April last, in reference to the right of this Province to better terms under "The British North America Act, 1867,"

The Order of the Day being read, the House resumed the consideration of the said resolutions, and the debate thereon being concluded—

They were unanimously adopted by the House; and

On motion of Mr. Wedderburn,

Resolved, That an humble Address be presented to His Excellency the Lieutenant-Governor, embracing the objects set forth in the resolutions now passed, as regards the right of this Province to better terms under "The British North America Act, 1867;" and further

Resolved, That a copy of the said resolutions be communicated to the Honorable the Legislative Council, and they be requested to join this House in such Address; and

Ordered, That the Clerk or Assistant Clerk of this House do communicate the same to the Council.

The House adjourned until to-morrow morning at 9 o'clock.

"That the Legislative Council had passed and forwarded an Address to His Excellency the Lieutenant Governor on the subject of better terms under "The British North America Act, 1867," previously to the reception of a Message from the Assembly, as to a Joint Address on the same subject, of the 2nd May instant."

On motion of Mr. Wedderburn,

Whereas, by resolution of this House, passed on the 2nd day of May, instant, the resolutions moved on the 20th day of April last, in reference to the right of this Province to better terms under "The British North America Act, 1867," were unanimously adopted, and it was thereupon resolved that a copy of the said resolutions be communicated to the Honorable the Legislative Council, and they be requested to join the House in an Address to His Excellency the Lieutenant Governor on the subject thereof: And whereas a Message was received from the Honorable the Legislative Council, informing this House that the Legislative Council had passed and forwarded an Address to His Excellency the Lieutenant-Governor on the subject, previously to the reception of the Message from this House on the same subject; therefore

Resolved, That the resolutions passed and adopted on the 2nd day of May, instant, by this House, on the subject of better terms, be presented to His Excellency the Lieutenant-Governor by the members of this House who are members of His Excellency's Executive Council.

The Hon. Mr. King, Attorney General, and a member of the Executive Council, reported to the House—That the Address to His Excellency the Lieutenant-Governor, of the 9th instant, communicating the resolutions moved on the 20th day of April last, in reference to the right of this Province to better terms under "The British North America Act, 1867," and which were unanimously adopted on the 2nd day of May, instant, had been presented to His Excellency, and His Excellency was pleased to reply—That the matters referred to in such Address would have the immediate attention of His Excellency's advisers.

#### RETURN.

To an Address of the House of Commons, dated 27th February, 1871;—For copies of all correspondence that has taken place between the Dominion and Local Government of New Brunswick since 1st July, 1867, relating to unadjusted claims of the Province of New Brunswick, with a Statement of such claims; also a Statement of the Public Account between the Dominion and the Province of New Brunswick on the 1st January, 1871.

By command,

J. C. AIKINS, *Secretary of State.*

Department of the Secretary of State, Ottawa, 22nd March, 1871.

## SCHEDULE.

Letter from Lieutenant-Governor of New Brunswick to Secretary of State, Provinces.

Letter from Provincial Secretary of New Brunswick to Secretary of State, Provinces.

Letter from Auditor to Under Secretary of State, Provinces.

Letter from Under Secretary of State, Provinces, to Lieutenant-Governor of New Brunswick.

Letter from Lieutenant-Governor of New Brunswick to Secretary of State, Provinces.

Letter from Provincial Secretary of New Brunswick to Lieutenant-Governor.

Letter from Under Secretary of State, Provinces, to Lieutenant-Governor of New Brunswick.

Letter from Acting Under Secretary of State, Provinces, to Auditor-General.

Letter from Provincial Secretary of New Brunswick to Secretary of State, Provinces.

Letter from Provincial Secretary of New Brunswick to Minister of Finance.

GOVERNMENT HOUSE, NEW BRUNSWICK, 13th July, 1870.

SIR,—I have the honor to forward herewith a communication from the Provincial Secretary, in answer to a communication to him from Mr. Langton, of the 29th ultimo.

The case, as presented on behalf of this Province, is one which certainly requires, and I am certain will receive, the early attention of the Dominion Government.

It is very embarrassing to my Government to have an undoubted balance (as they consider) of \$92,340 due to this Province under the 107th section of "The British North America Act" entirely ignored, and at the same time have \$19,228 of interest on an alleged excess of debt, and \$12,000, pending settlement of railway accounts, deducted from the half yearly subsidy. It must be admitted that such a state of things ought not to exist, and I have, therefore, the honor to request that you will press upon the Dominion Government the great importance, at the present time, for an early and final adjustment of all outstanding accounts between the Dominion and the Provincial Governments.

I have, &c.,

L. A. WILMOT, *Lieutenant-Governor.*

Hon. the Secretary of State for the Provinces, &c., &c., &c.

PROVINCIAL SECRETARY'S OFFICE,

FREDERICTON, N.B., 12th July, 1870.

SIR,—I have the honor to acknowledge the receipt of a letter, under date the 29th ultimo, from Mr. Auditor Langton, informing me that Paymaster Robinson was instructed to deduct \$19,228.83 from the half year's subsidy due New Brunswick from the Dominion of Canada, under the North America Act, as interest on excess of debt over the stipulated seven million dollars.

I further received a telegram from Mr. Robinson, dated the 4th instant, stating that he was also instructed to deduct an additional sum of \$12,000 from the paid subsidy, "pending settlement of railway accounts."

On the 29th January, 1869, I addressed a letter to the Hon. Mr. Langevin, Secretary of State for the Dominion, calling his attention to the 107th section of the Act of Union, and requesting that certain items, amounting to the sum of \$92,340.01, being an undoubted balance due the Province under that section, might be placed to our credit in account with the Dominion, and proposing that certain further claims should stand over until the several items would be mutually discussed and decided upon. To this communication I have received no other answer than a mere acknowledgment of its receipt, and I awaited some further action on the part of the Dominion Government before proposing a meeting to adjust the accounts between the Dominion and the Province.



The Provincial Government has not, up to this date, received from the Dominion Government, or its Auditor, any account current or statement of provincial indebtedness from a Dominion standpoint, but we observe from the published accounts of the Dominion for the fiscal year ended 30th June, 1869, that the indebtedness of the Province is assumed to be very heavily in excess of what it actually is under the conditions of the North America Act, and the fiscal statement of Mr. Treasurer Robinson, of the 30th June, 1867.

It is, therefore, with feelings of surprise and regret that I observe the very unusual course adopted by the Dominion Government toward this Province, in stopping a portion of our subsidy without previous notice, without furnishing accounts, without action upon my letter of the 29th January, 1869, and without proposing a conference for the adjustment of our respective accounts and claims; and whilst I cannot believe that the Dominion Government is really disposed to exercise the power it possesses, by holding the purse strings in an arbitrary manner, still I must again express my regret at the course which it has thought proper to pursue in its dealings with this Province.

New Brunswick is willing to abide by the conditions of the Act of Confederation, but she expects to have those conditions carried out in a fair and liberal spirit; and before stoppage is made of any portion of her very moderate stipend she wishes and expects to have her claims under the Act of Union fully investigated, and an equitable adjustment arrived at, in order to which she is ready and desirous to join in the appointment of a commission furnished with power to adjudicate upon all financial questions at issue between the Dominion and the Province under the North America Act.

Whilst pressing upon the Dominion Government a desire for its concurrence in this proposal, I must at the same time request that Mr. Robinson be forthwith instructed to pay over the balance of subsidy kept back under orders from Ottawa, and amounting to the sum of \$31,228.83.

I have &c.,

JOHN A. BECKWITH.

Hon. JOSEPH HOWE, Secretary of State, Ottawa.

AUDIT OFFICE, OTTAWA, 20th July, 1870.

SIR,—I have the honor to acknowledge the receipt of a letter from the Lieutenant-Governor of New Brunswick, enclosing one from the Provincial Secretary. They will be laid before the Minister of Finance on his return to Ottawa, and I will take his instructions in the matter.

I may mention, in the meantime, that the claim of New Brunswick to be allowed for certain railway and other stores, was laid before the Minister of Finance of the day, and as no similar allowance had been allowed or claimed by the other Provinces, it was decided that it could not be entertained, and that decision was communicated by me personally to Mr. Beckwith.

As to the interest in the excess of debt, there can be no doubt that it must be deducted from the subsidy, assuming our statement of the debt to be correct. A statement will be furnished to the Province of our several charges against debt account.

As to the third item complained of, it is a manifest error. The Department of Public Works has an unsettled claim against the Woodstock Branch and the Eastern Extension, and it applied to me, pending the settlement, to deduct it from the next subsidy. My certificate having been sent to the paymaster to pay the subsidy to the Province, I telegraphed to him, if not already paid, to deduct this amount. But it was evidently not from the subsidy to the Province, but from the next subsidy to the railway, that the deduction ought to have been made. I have corrected the error and authorized the paymaster to pay the sum deducted.

Yours, &c.,

J. LANGTON, Auditor.

E. A. MEREDITH, Esq., Under Secretary of State.

O. S. S. P., 22nd July, 1870.

SIR,—Adverting to your despatch of the 13th instant, covering a communication from the Provincial Secretary of the Province of New Brunswick, on the subject of the unsettled accounts between the Governments of that Province and the Dominion, I have the honor to transmit to you herewith a copy of a letter from the Auditor of Public Accounts in reference to the several matters alluded to by the Provincial Secretary.

I have, &amp;c.,

E. A. MEREDITH, *U.S.S.P.*

Hon. L. A. WILMOT, Lieutenant-Governor, Fredericton.

GOVERNMENT HOUSE, NEW BRUNSWICK, 2nd August, 1870.

No. 46. SIR,—I have the honor to enclose a communication from the Provincial  
No. 330. Secretary, in reference to the letter from the Auditor of Public Accounts, enclosed in your despatch of the 22nd ultimo.

I have, &amp;c.,

L. A. WILMOT, *Lieutenant-Governor.*

Hon. the Secretary of State for the Provinces.

PROVINCIAL SECRETARY'S OFFICE, FREDERICTON, N.B., 1st August, 1870.

SIR,—I have the honor to acknowledge the receipt of your letter of the 29th July last, covering a copy of a letter from the Dominion Auditor, Mr. Langton, dated the 20th July, and referring to my letter to the Secretary for the Provinces, the Hon. Mr. Howe.

More than five months after the date of my letter of the 29th January, 1869, public business connected with the Eastern Extension Railway took me to Ottawa; whilst there, I had an interview with Mr. Langton, and as that gentleman states that he informed me that it was decided by the Minister of Finance that the claims of New Brunswick to be allowed for certain railway and other stores could not be entertained, as no similar allowance had been allowed or claimed by the other Provinces, I must take it for granted that I was so informed; but I certainly did not understand anything that fell from Mr. Langton, in the conversation that took place between us, as bearing that construction, otherwise I would have requested to be furnished with an official answer to my official communication, a mode of procedure which official etiquette entitled us to expect, even if a feeling of courtesy to a Province of the Dominion had not induced the Secretary for the Provinces to furnish it.

I cannot for a moment concur in the reason assigned by the Minister of Finance of the day for disposing of our just and legal claims in so autocratic a manner. We do not ask to be guided by the manner in which the other Provinces are dealt with. We do not even ask concessions similar to those yielded to Nova Scotia, but we ask our rights under the Act of Union. We will not cease asking until we obtain them, and we regret that the Federal Government should seriously intend to deprive us of them, in contravention of the plain reading of the said Act, and especially the 107th section thereof.

Mr. Langton promises that a statement will be furnished to the Province of the several charges against the debt account. I trust it will be a full account of all claims against the Province under the Act of Union. On receipt thereof the Province will be prepared to furnish the Dominion with all claims of offset under the said Act; but until the respective claims be adjusted, either by mutual agreement or otherwise, the Province will expect the payment of the subsidy without any deduction, and will feel that every day in which any portion of it continues to be withheld increases the just cause for complaint.

I am happy to acknowledge the receipt of the \$12,000 kept back, as Mr. Langton states, in error.



Requesting that you will cause this letter to be transmitted to the Federal Government, I have, &c.,

JOHN A. BECKWITH.

Hon. L. A. WILMOT, D.C.L., Lieutenant-Governor, &c., &c.

O. S. S. P., 13th August, 1870.

SIR,—I have the honor to acknowledge the receipt, this day, of your despatch of the 2nd instant, covering a communication from the Provincial Secretary, (No. 380.) in reference to the letter of Mr. Auditor-General Langton, enclosed in my communication of the 22nd ultimo.

I shall at once communicate to the Auditor-General a copy of Mr. Beckwith's letter.

I have, &c.,

E. A. MEREDITH, U.S.S.P.

Hon. L. A. WILMOT, Lieutenant-Governor, Fredericton.

O. S. S. P., 15th August, 1870.

SIR,—I have the honor to communicate a copy of a letter from the Provincial Secretary of New Brunswick, received on the 13th instant, from the Lieutenant-Governor of that Province, in reply to your letter of the 20th July last, therein referred to.

I have, &c.,

G. POWELL, Acting U.S.S.P.

The Auditor-General.

PROVINCIAL SECRETARY'S OFFICE, FREDERICTON, N.B., 3rd September, 1870.

SIR,—I have the honor to acknowledge the receipt of your communication of 24th ultimo, stating that a certificate for \$19,228.83 has been forwarded to the paymaster at St. John, being amount retained from subsidy due New Brunswick on 1st July last.

I have, &c.,

JOHN A. BECKWITH.

Hon. JOSEPH HOWE, Secretary of State, Ottawa.

OTTAWA, 26th October, 1870.

SIR,—Referring to our conversation of yesterday, I beg to submit, for the action of the Dominion Government, the principal items of account which the Province of New Brunswick claims credit for in reduction of its liabilities to the Dominion, viz:—

Balance due the Province on the 30th of June, 1867, for advances from the Province treasury, beyond the cost of road and equipments of the European and North American Railway, as per Manager Carvell's account herewith, No. 1.....	\$119,495 51
Balance due on penitentiary account, after deducting the sum of \$10,646.49 paid, by the Dominion to John Ferris, for stock for manufacturing purposes, per Secretary Crookshank's account, No. 2.....	5,349 96
Cost of oil delivered to the lighthouse department, on the 30th June, 1867, for the use of the Dominion lighthouses (No. 3) paid for by New Brunswick.....	1,195 00
Balance of post office account with New Brunswick on the 30th June, 1867, per provincial audit: no statement has been received from Inspector Mc- Millian, although repeatedly asked for.....	5,505 66
Balance due on Indian fund account, Auditor's report, No. 4.....	2,464 21

Short credit given to New Brunswick on 6 per cent.  
debentures purchased with Savings Bank fund,  
per Auditor Langton's account.....

735 20

\$134,745 54

New Brunswick also claims credit for the amount of stock she held in the St. Andrew's and Canada Railway, which was transferred to Canada under the 107th section of the Act of Union, amounting to \$240,000.00.

It is considered that pending the closing of the Savings Bank accounts 10 per cent. on the amount of deposit at the time of the Union should be placed to the credit of the provincial account, as in the case of Nova Scotia, subject to correction when those accounts are closed. Deposits \$777,359.85, per centage \$77,735.98.

New Brunswick further deems herself entitled to a return of \$150,000.00, part of \$400,000, which she paid as subsidy, and land damages on the Eastern Extension Railway, from Cock's Brook to the Nova Scotia boundary, the same having been adopted as part of the Intercolonial Railway, whilst only \$250,000.00 have been placed to her credit in account with the Dominion Government.

I beg to refer to my letter to Mr. Secretary Langevin of the 29th January, 1869, and to Mr. Secretary Howe, of the 12th July, 1870, also to sections 107 and 108, and schedule 3, of the British North America Act, and I have to request that I may be favored with an early answer to this communication.

I have, &c.,

JOHN A. BECKWITH, *Provincial Secretary of New Brunswick.*

Hon. Sir FRANCIS HINCKS, Minister of Finance, &c., &c., &c.

AUDIT OFFICE, OTTAWA, 5th January, 1871.

SIR,—I have instructed the Auditor to pay you the subsidy due 1st January without any deduction for interest on the excess of debt.

As long as the claims which the Province has made for a revision of this debt account have not finally been determined upon, it appears useless to make the deduction; but it must be understood that the present payment in full of the subsidy due 1st January, as well as that due in July last, is without prejudice to the claims of the Dominion, whenever the points in dispute have been decided.

I have the honor to be, your obedient servant,  
JOHN LANGTON, *Auditor.*

Hon. J. A. BECKWITH, *Provincial Secretary.*

The despatches communicated by this Message were read at the Clerk's Table, and are as follow:—

GOVERNMENT HOUSE, N.B., 11th February, 1873.

SIR,—I have the honor to enclose three printed copies of the communications from the "Better Terms" delegates, sent to me this day for transmission to the Dominion Government.

I have, &c.,

L. A. WILMOT, *Lieutenant-Governor.*

Hon. the Secretary of State for the Provinces, Ottawa.

OTTAWA, 17th February, 1873.

SIR,—I have the honor to acknowledge the receipt of your despatch, No. 2, of the 11th instant, covering three printed copies of a communication from the "Better Terms" delegates, sent to you for transmission to the Dominion Government.

Your despatch and its enclosure will be laid before the Governor General in Council.

I have, &c.,

JOSEPH HOWE, *Secretary of State for the Provinces.*

Hon. L. A. WILMOT, *Lieutenant-Governor, Fredericton, N.B.*



## BETTER TERMS.

*Report of the "Better Terms" Delegation of New Brunswick, 1873.*

FREDERICTON, N. B., 31st January, 1873.

SIR,—In the month of October, 1871, delegates appointed by His Excellency the Lieutenant-Governor of New Brunswick in Council, had the honor to submit, for the consideration of His Excellency the Governor General in Council, the claims of this Province upon the Government and Parliament of Canada, for a readjustment of the financial arrangements made for it by the terms of "The British North America Act, 1867."

Consequent upon the death of the late Hon. Mr. Hatheway, and other changes in the Government, the undersigned have received the commands of the Lieutenant-Governor in Council, to continue the negotiations at that time commenced, and to again solicit the consideration of the Governor General in Council to the case and claims of this Province.

## FORMER NEGOTIATIONS.

Referring to the letter of the delegates, under date 2nd October, 1871, and to the several interviews subsequently had by them with the Honorable the Privy Council, and to the report of the delegates submitted to the Legislature of New Brunswick during the Session of 1872,\* the undersigned desire to submit that an examination of the Public Accounts, respectively, of Canada and New Brunswick, for the fiscal year since closed, will most amply sustain and strengthen the arguments before presented on behalf of New Brunswick; and that on almost every branch of the inquiry the result of the financial operations of the succeeding year will place in yet stronger contrast the injustice New Brunswick has sustained, while it will be found the emergencies and difficulties of the public service have become more complicated and embarrassing. And to prevent misunderstanding in the mind of anyone not acquainted with the details, it may be well to explain what otherwise might appear a great inaccuracy of figures or misstatement of fact by the undersigned on this subject. It may be discovered by a glance at the Public Accounts of New Brunswick, and particularly the "Estimated Income of 1872,"† that an item is imported into the account of "Balance on hand, 31st October, 1871—\$95,734.13;" and thus making the—

Estimated income.....	\$625,404 78
Less—Deduct proportion of Dominion subsidy, one-sixth belonging to year 1873, say.....	\$57,000
For old appropriations.....	4,000
	<hr/> 61,000 00
Available for expenses of 1872.....	\$564,404 78
Estimated Expenditure—	
Authorized by law.....	\$224,914 48
To be voted by the Legislature.....	247,988 33
	<hr/>
Total for expenditure .....	472,902 81
Unappropriated .....	<hr/> \$ 91,501 97

Truly, these figures may be taken as correct; and it may well be said, What need hath New Brunswick for better terms, when it had a balance, in 1871, of \$95,734.13, and an estimated balance for 1872, unappropriated, of \$91,501.97? But it is observable that these balances include \$83,064.86, being the final instalment of the reserve fund of October, 1867; ‡ the grant of \$10,000 for immigration purposes;

\* Journals of New Brunswick, 1872, page 28.

† *Ibid*, pp. 93-114.

‡ Journals, N.B., 1871, p. 108. Report of Delegates, 1871, p. 41, Journals 1872—Appendix.

\$45,157.05, the amount paid New Brunswick for railway iron; an increase in the casual and territorial revenue, on which similar drafts cannot be made for a long time, and \$600 interest on the Commercial Bank debt; which, even omitting the income from the casual and territorial revenue, will make a total of \$138,821.91! At the same time, the grant for immigration is an amount for a specific service, and the remaining items are merely extraordinary sums, which do not arise from the permanent revenues of the Province, but completely end with their use. And, moreover, these do not include any statement of the liabilities of the Province upon subsisting contracts not yet at maturity, for certain public works, &c., and which, therefore, cannot be charged in the present accounts, nor the large claim of \$83,133.33 made by the Dominion for interest up to 30th June, 1872! Thus, Sir, it will be perceived at once that while the financial statements are perfectly accurate, such an argument by any opponent of New Brunswick is not warranted by a full knowledge of all the facts; nor should it be a circumstance of much weight, when it is remembered how many pressing improvements—many of them being yearly provided for in other Provinces—are necessarily neglected here, and the generous surplus the other Provinces obtain under the constitution.

#### NEW BRUNSWICK.

Indeed, so painful and obvious are these things, that were they to assume that their assured hopes of parliamentary redress from this deplorable state of public affairs are vain or delusive, the people must become despondent, in view of the exigencies of the future, and the rapid and inevitable advance upon them of the time when a resort must be had to a very burdensome system of additional taxation, hitherto unknown to their history, and to which they cannot be expected willingly to submit. It is doubtless because thus far these difficulties have mainly been felt by the Government, and taxation has been warded off by drafts upon these reserve funds and other provincial means now nearly exhausted, and that the people have faith that Parliament will redress their wrongs before the full burden of them does fall upon them, that the people have hitherto made no further demonstration than the united action of their Legislature in 1871. But when, in the legitimate course of things, this unjust pressure of taxation shall be fully felt by the people at large, general public irritation and disquietude must succeed the attitude of petition, and swell the voice of popular remonstrance. Already, to every man who has made a substantial investigation of public affairs in connection with the fiscal legislation of this Province, it is but too clear that month after month the funds accumulated, amounting, in 1867, to \$214,000, are being exhausted—that the capital and resources of the Province are being consumed—that internal improvements and public undertakings, important or essential to the advancement and welfare of the people, are necessarily neglected\*—while the claims, whether well founded or not, made by the Dominion Government upon the small stipend granted for legislative and other purposes, are swelling to comparatively enormous amounts, and may be pressed for with every payment of the subsidy. That at the same time, whatever may be alleged to the contrary, the expenses of the Government and Legislature have been seriously reduced since 1867, and the people have yielded a peaceable support to the constitution. But, Sir, submission to injustice is not loyalty to the Crown; and the undersigned submit it should now cause no surprise if, impelled by these weighty considerations, they approach His Excellency in Council, with profound respect and in the spirit of the constitution, but with equal firmness, and claim something more definite, immediate and practical, than the full assurances given to the delegates of 1871. They do so, that they may assure the people at the coming meeting of the Legislature, in confirmation of the assurances of the past, that another Session of Parliament shall not be permitted to pass without the passage of a measure in aid of New Brunswick; or, on the other hand, that they may take counsel of the representa-

\*Report of Better Terms Delegates, 1871.



tives of the people, and, for the present, exhaust every other constitutional means, by laying their protest and petition at the foot of the Throne of Her Most Gracious Majesty the Queen.

Sir, the claims of New Brunswick, it is submitted, have not been pressed a moment too early, or with any rashness or haste, or otherwise than in the most constitutional way. For many months they have been before the Privy Council, and it can scarcely be said that ample time has not already been given for a complete investigation and decision of the subject, and for the maturing of such measures as the circumstances of the case suggest and justice demands.

#### OPPOSITION TO THE CLAIMS.

The undersigned are not ignorant of the fact that opposition to the relief of New Brunswick has appeared in some quarters, and they are fully prepared to give that fact fair consideration. To the public utterances of that opposition the undersigned propose to direct your attention. It was thought, however, in 1867, in the language of the Hon. George Brown, that Confederation, "if it went into operation, would place us all on an equal footing as British Americans, instead of being, as, then, sectional provincialists, with divided interests."\* But the whole scope of this opposition has been "sectional"—the idea fostered that the removal of the injustice to the "British Americans" of New Brunswick would be a wrong to their fellow citizens of the Confederacy, and that any pecuniary relief would be by draft upon the purse of the people of the other Provinces, rather than—to a great extent, at least—a return of some portion of the large tribute New Brunswick has paid to Canada, and will be held responsible for in the future. You will admit, Sir, that nothing more "sectional" and unjust, or so calculated to embitter the New Brunswick mind, could be suggested, except that denial of restitution by others, which would be the practical adoption of such views.

It is a very significant fact, so far as the undersigned have been able to observe, and they have diligently observed all the arguments thus far made public, that in no one instance has any influential opponent pretended to contradict—less to disprove—the complete inadequacy of the funds available under the British North America Act and from local sources to answer even the present exigencies of the public service. This is quite remarkable; for it is useless to ignore the fact that this strange and sectional opposition to New Brunswick has been drawn substantially from untenable premises, and illustrated by alleged facts which are without any existence. But as to this most important point, on which also hinged the concessions to Nova Scotia, there is a marked unanimity of sentiment, where, it is true, it could not be otherwise among those who have fairly investigated the matter.

#### THE ORIGIN OF THE UNION.

It is alleged, again, that New Brunswick projected the Quebec scheme in order to obtain incorporation with Canada, and should not complain of the results! The history of Confederation directly contradicts this assertion. Every Imperial despatch, every letter of correspondence between the Provincial Governments, every speech in any of the Local Legislatures before 1867, every Minute of Executive Council, the records of the Charlottetown Conference, and every book of any authority, which touches this point at all or made public, amply proves that Canada, after years of vexatious political disquietude, sought the hand of New Brunswick, as the Dominion now solicits the co-operation of the colonies of Prince Edward Island and Newfoundland. Let the political history of the day be referred to, and it will be found, as has been amply demonstrated, that New Brunswick was peaceably and prosperously enjoying the benefits of independent legislation, a good credit abroad, remunerative public works, and an easy exchequer at home, and was in conference with the other Maritime Provinces for the erection of a Union which should know not Canada.†

\*Speech at St. John, 14th September, 1864.

†Rep. of Char. Conf.; Gov. Doyle's Despatch, 10th April, 1864; Lord Monck, 30th June, 1864; Minute of Ex. Council of Canada, 23rd September, 1864; Rep. of Better Terms Del. 1871, p. 5.

Let the official despatches of the Imperial Government, the despatches of Lord Monck and Governor Gordon, the memorandum of the Canadian Government and the correspondence upon the appointment of delegates to Charlottetown, and the speeches of the Canadian representatives to the conferences of Charlottetown, Quebec, and London, be examined, and this matter will be placed beyond controversy. The undersigned, therefore, respectfully submit, that it is much too bad that New Brunswick should be taunted with having sought a union which was pressed upon it, and should therefore be content with and thankful for the terms of its completion; as it is equally severe to find its generous acceptance of, and loyal submission to it, misunderstood on the one hand, or made a barrier to its legitimate claims on the other.

#### THE ORIGINAL COMPACT.

It has also been alleged that New Brunswick was a party to the terms of the compact—that compact for ever sealed—and that its people rightfully have no redress. Reference has already been made to the opinion of Lord Granville, the action of Parliament, and the platform assurances on this subject. But it may with propriety be urged, that the terms of Union agreed to are not the terms of Union adhered to. The better terms ceded to Nova Scotia, granted to Manitoba and British Columbia,\* and offered to the outlying colonies, are clearly not according to the fundamental principles of the compact of 1867. It is true New Brunswick, by our system of government, may be said to be equally constitutionally responsible for them all. As a merely technical proposition, this is not without a certain degree of force; but as an answer to the claims of New Brunswick it is worthless. Take, for illustration, the number of the representatives of New Brunswick at Quebec and London, and compare it with its parliamentary representation in the Union, or with the number of New Brunswick representatives who voted for all these better terms. The simple assertion that each member of Parliament shall be held responsible for the organic action of Parliament is surely carried into effect too far, if it can be thus urged. By the force of the same reasoning, each member of Parliament may be held liable for each vote of Parliament, whether he individually voted yea or nay—a proposition which contains too much, and which can scarcely be accepted in its legitimate scope in any quarter. But furthermore, if a Province must quietly submit to ruling of this kind, may not the same majority which increased the subsidy to Nova Scotia decrease that to New Brunswick, and hold the representatives of New Brunswick equally accountable? But were it otherwise, or, if New Brunswick did accept Union on terms since found inadequate to its case, and disproportionate to its rights, shall there be no appeal from the error of the past—no relief from the penalties of “the bond”—and shall the Government and Parliament recognize and establish the doctrine that neither the welfare of New Brunswick nor its attachment to the constitution is to be maintained, or esteemed as of any importance to the State? The undersigned hope not; for history proves it is an old rule, as well of nations as individuals, that a Union or a “partnership”† so formed and for a time continued, cannot long exist with happiness or proceed without rupture; for, as the terms at the first vexatious become before long tyrannous and insufferable—so the cordiality imperilled at the outset, in the early end, becomes utterly destroyed.

But clearly, the terms granted to the other Provinces are not the terms contemplated by the “British North America Act”—the people of New Brunswick have never passed upon the latter as they did upon the former—and both branches of the Legislature have unanimously required that *pro rata* concessions be made to them. But this claim is not only because others have received advances, but because, with its present arrangements, New Brunswick cannot proceed; and it is equally a fair position to assume that concessions to it shall be not only within the letter of the authority of Parliament, as already decided, but strictly in accordance with the true spirit of the constitution, that it may really “protect the diversified interests of the

\* Rep. Com. Priv. Coun. on Br. Columbia, sec. 10.

† Mr. Langton, in N.S. correspondence.



several Provinces, and secure efficiency, harmony and permanency in the working of the Union."\*

#### THE QUESTION AT THE ELECTIONS.

Again, His Excellency the Governor General in Council will doubtless have noticed the assertion made, that the people of New Brunswick did not make better terms an issue and test of candidature at the last election for the Local Legislature, or at the recent general election for the House of Commons. What this really has to do with the original question the undersigned cannot perceive. But it is as well to observe at once that the assertion regarding the local elections is clearly devoid of foundation. Many of the candidates for the Provincial House publicly proclaimed themselves for better terms; the press, with few exceptions, took a similar position, and have all since unitedly endorsed the movement; and the best commentary on public opinion is the united and unanimous action of both branches of the Legislature, at the very first Session after the election.

With reference to the recent election for Parliament is also but partially true and quite delusive, and wherein it possesses any force is easily explained. In many counties of the Province the matter was largely discussed; in nearly all—if not all—it was generally conceded that the candidates were determined to enforce the claims of New Brunswick; and it is confidently asserted that, if any, very few representatives were returned who had not privately or publicly adopted this position. But there is a more important explanation. Bearing all these facts in mind, it is also to be remembered that hitherto the Legislature and people of New Brunswick have, by every means, sought for the discussion and settlement of these claims, apart from all party platforms and electioneering combinations. It continues very important to preserve this mode of procedure, if possible; but, Sir, if delay or a denial of justice is to be the only answer to their application, and no relief from their political difficulties is obtained in this way, no one should be surprised or complain if the people of New Brunswick seek or foster only those strictly party alliances as shall likely secure to them reasonable redress and save them from direct taxation or political bankruptcy. And again: Before the election the people were officially assured that the results of the negotiations with the Privy Council of Canada were most satisfactory; that "the Canadian Government will exercise all its power and influence to remove every just cause of local discontent and disquietude, and to make the Government and the Legislature and the people of New Brunswick satisfied as to their financial relation with the Dominion;" and that, giving full confidence to such repeated acknowledgments and assurances, the Better Terms Delegation of 1871 felt "warranted in reporting to the Lieutenant-Governor in Council that the Privy Council of Canada will adopt such measures for the relief of New Brunswick as shall be eminently satisfactory" to New Brunswick†. Moreover, the correctness of this report, which had then been many months before the Government, Parliament and people of Canada, never was authoritatively questioned or contradicted, throughout the public discussions before or consequent upon the election; and the people had a right to, and did believe, that the Ministers would have corrected this report, if erroneous, from their places in Parliament or from the hustings, seeing the position to which that report committed them, and the confidence by it created in the public mind.

#### DIRECT AND MUNICIPAL TAXATION.

There is one other objection urged which requires notice. It is alleged, with an apparent show of earnestness, but with little force and without any fairness, that the Legislature of New Brunswick has the residuary power of raising money by means of direct taxation, and should use it. Indeed, this has been urged in these very words: "Why, then, does New Brunswick not use her own powers, and take it from her own people (!) \* \* \* Let her make her government machinery more

\* Proceedings Quebec Conference, sec. 2.

† Report of Better Terms Delegation, 1871, page 48.

imple; let her, in proportion to her wealth and population, tax herself, as Ontario does now, and, like Ontario, she will have sufficient for her needs and to spare; and she will have gained what is of more value than a subsidy, the habit of relying upon herself (1)." The undersigned cannot but regret the temper of such appeals, too many of which have been circulated during the last few months. It were a thing easy to retort by once more showing the relative positions of Ontario, Quebec, and New Brunswick, politically and financially, up to 1867; the large contribution New Brunswick annually takes from "her own people" and transfers to the Dominion treasury; that at this very time, while the receipts of the Dominion from the three great sources of revenue during the past four years—Customs, Inland Revenue, and stamp duty—have averaged an increase of about 50 per cent., that for New Brunswick alone are upwards of 83 per cent.; that the income of her contribution of public works to the common stock is proportionably largely in excess of any other works in the Dominion; and, also, to show how most thoroughly the people of New Brunswick long ago educated themselves up to that "self reliance," which had commanded for them a status happy, prosperous, and contented, when the delegates from Canada proposed the general confederation. But it is said, nevertheless, resort to direct taxation—introduce municipal taxation—let your large investment in the Dominion treasury go to other people, and if you want money get it by putting your own hands yet deeper into your "own people's" pockets! A fatal commentary, truly, upon the financial arrangements of the constitution, and a sad illustration of the truth of the remark of Sir Alexander Galt, that "it is not a light thing for a people to trust their prosperity to others!"\* Strangely enough, however, before Confederation, notwithstanding municipal taxation, the old Canadas never boasted of surpluses as now, reaching between Ontario and Quebec nearly \$5,000,000; and equally strange that the Lieutenant-Governors of these Provinces, on more than one occasion, have treated such exceptional prosperity to the direct influences of Confederation. Of this New Brunswickers by no means complain—on the other hand, they rather rejoice at it, as evidencing the general prosperity of the Dominion. But it does not seem to be known that, directly and indirectly, New Brunswick has been practically taxed in fair proportion to its wealth and population—to which taxation have been added by Confederation with Canada the new species of impost devised by Parliament for Dominion purposes, in the nature of stamp duties, excise and newspaper postage, &c.; while at the same time one of the great and inexhaustible sources of wealth and fields of industry for its people has been legislated away from them in Imperial interests for Dominion benefits,† and the whole profit of which transfer will swell the funds of the Dominion Government—and all this, when the policy of the Empire and of the Dominion became involved, while the people of New Brunswick scarcely murmured! It has also been already shown that had it been governed by none other than selfish or "sectional" motives, and had remained out of the Union, and continued its own tariff, New Brunswick would have enjoyed a yearly surplus from its own resources over its own expenditures, and for the benefit of "its own people," of \$236,131 and upwards—or, had the tariff been raised to the present Canadian standard, the Province being out of Union, no less than \$336,500 and upwards annually ‡ while now it is paying more into the Dominion than it receives by \$150,000, as in 1870 § and is provincially drifting in arrear at the rate of \$50,000 per annum! a deficit which, if added to the accumulations of interest claimed by the Dominion, will reach nearly one-third of the boasted subsidy! And bearing this in mind also, take the *per capita* of the several Provinces in the Dominion. By the tables submitted in the letter of October, 1871, based upon the population of 1861, it appeared:—

Province.	Duties.	Population.	Per Capita.
=Canada—(Ontario & Quebec)	\$7,262,987	2,507,657	\$2 90
Nova Scotia. . . . .	1,133,344	330,857	3 43
New Brunswick. . . . .	1,015,111	252,047	4 03

\* Speech at Montreal, 29th October, 1864. † Treaty of Washington. ‡ Report Delegation, 1871 page 21. § *Ibid*, page 24. = Report of Delegates, 1871, page 26.



Turning to the Public Accounts for the fiscal year ending 30th June, 1871 :—

CANADA—Ontario—

Customs	(Public Accounts No. 1 page 3).....	\$3,405,421 56
Excise	(do do 2 do 11).....	2,550,243 74
Stamp duties	(do do 6 do 23).....	155,099 45
		<u>\$6,110,764 75</u>

CANADA—Quebec—

Customs	(Accounts No. 1 page 5) . . .	\$5,974,543 41
Excise	(do 2 do 11) . . .	1,419,267 34
Stamp duties	(do 2 do 23) . . .	67 86
		<u>\$7,393,883 61</u>

Population of Ontario . . .	1,620,842	
do Quebec . . .	1,190,505—2,811,347	
Per capita . . .		<u>\$4 80</u>

CANADA—Nova Scotia—

Customs	(Accounts No. 1 page 7) . . .	\$1,358,616 16
Excise	(do 2 do 13) . . .	175,362 74
Stamp duties	(do 6 do 23) . . .	16,097 01
		<u>\$1,550,075 91</u>

Population . . .	387,800	
Per capita . . .		<u>\$3 99</u>

CANADA—New Brunswick—

Customs (Accounts No. 1, page 5) . . .	\$1,222,838 54
Excise . . .	218,119 01
Stamp duties . . .	11,879 98
	<u>\$1,452,837 53</u>

Population . . .	285,777	
Per capita . . .		<u>\$5 08</u>

And while these facts are borne in mind, and without unnecessarily multiplying figures, take simply, by way of illustration, and as corroborative of the value of New Brunswick's contributions to the Dominion assets, the railway accounts of New Brunswick and Nova Scotia—an enquiry which might be extended to other Provinces :—

\*RAILWAYS—NEW BRUNSWICK.

Public Accounts, 30th June, 1871.

Deposited to credit Receiver-General (Accounts, part 1, page 21) . . .	\$251,456 37
Working expenses (Accounts, part 3, page 44) . . .	170,583 71
Surplus over expenses, . . .	<u>\$80,872 66</u>

\* See also Report of Better Terms Delegates, 1871, page 18.

## RAILWAYS—NOVA SCOTIA.

*Public Accounts, 30th June, 1871.*

Deposited to credit Receiver-General (Accounts, Part 1, page 21)	\$292,667 27
Construction account charged to Consolidated Fund (Part 3, page 40),	\$ 50,405 69
Working expenses, (page 41)	272,409 60
	<u>322,815 29</u>

Deficit less than receipts	\$30,148 02
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New Brunswick—Surplus...	\$80,872 66	Capital...	\$1,347,877 66
Nova Scotia—Deficit.....	30,148 02	do ...	502,466 00

Balance in favor of New Brunswick	\$1,850,343 66
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It may be objected that the items on construction account are improperly included in the foregoing statement; but if there can be any doubt on that point it will be removed from the argument in the examination of the following:—

## NEW BRUNSWICK RAILWAYS.

1867-68—Revenue	... .. \$166,758 42		
Maintenance	... .. 131,684 97	Surplus,	\$35,073 45
1868-69—Revenue	... .. \$177,829 42		
Maintenance	... .. 126,149 71	do	53,677 71
1869-70—Revenue	... .. \$192,704 44		
Maintenance	... .. 139,683 99	do	53,020 45
1870-71—Revenue	... .. \$251,456 37		
Maintenance	... .. 170,583 71	do	80,872 66
Accumulated surplus in four years	... ..		<u>\$222,644 27</u>
The average per annum being	... ..		<u>\$ 55,661 07</u>
Representing a capital of	... ..		<u>\$927,684 50</u>

## NOVA SCOTIA RAILWAYS.

1867-68—Revenue	\$247,220 98		
Maintenance	228,276 11	Surplus ...	\$13,944 87
1868-69—Revenue	\$260,285 25	Deficit ...	...\$ 1,113 51
Maintenance	261,398 76		
1869-70—Revenue	\$269,659 12		
Maintenance	305,524 76	do ...	... 35,865 64
1870-71—Revenue	\$292,667 27		
Maintenance	272,409 60	Surplus ...	20,257 67
			<u>\$39,202 54</u>
			<u>\$36,979 15</u>
Accumulated surplus in four years	... ..		<u>\$2,223 39</u>
Average per annum	... ..		<u>\$ 555 85</u>
Representing capital of	... ..		<u>\$9,264 17</u>



To this exhibit add the following:—

Expended on New Brunswick railways during the same period :

Construction account	\$60,900 77
Stores do	13,052 10
	<u>\$73,952 87</u>

Expended on Nova Scotia Railways during same period :

Construction account	\$633,148 54
Stores do	51,204 44
	<u>684,352 98</u>

Excess of expenditure in Nova Scotia	<u>\$610,400 11</u>
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The undersigned submit that it is unnecessary they should again guard themselves from any misapprehension of their intentions in submitting these tables; they are not impelled by any improper or unfriendly motive; but they do urge respectfully that it is only fair to New Brunswick to meet the opposition urged to the relief of the Province by showing most conclusively from the public records that it is contributing thus handsomely to the Federal exchequer, and is suing for parliamentary concessions, not only because it is unable to meet its financial difficulties, but on the basis of strict and impartial justice; and this apart from the fact that services unprovided for in New Brunswick are maintained in Nova Scotia or elsewhere. The undersigned do not complain of these things, but they do complain if these facts do not receive fair consideration when the question of New Brunswick rights is subjected to discussion.

#### BRITISH COLUMBIA.

While on this point, Sir, it will probably answer a good purpose of illustration of the insufficiency of the present allowances to New Brunswick to refer to the subject of the expenditure, &c., in British Columbia. Confederation had received some trial, at least, when the delegates from British Columbia met the gentlemen of the Privy Council at Ottawa, to arrange the terms upon which that Province should be incorporated with the Dominion; and the Government and delegates had, therefore, the opportunity of examining how far the arrangements made with New Brunswick had answered the intentions of the London Conference. They had also the fact that Nova Scotia\* required more than the "British North America Act" had provided for its purposes. One of the delegates from, and now Lieutenant-Governor of British Columbia, had frankly declared "that it was simply impossible to proceed according to the strict terms of the 'British North America Act.'"<sup>†</sup> Let the results of the negotiations as to British Columbia be examined in comparison with the results of the "British North America Act" as to New Brunswick; and, taking the respective ages, wealth, population, contributions to the Dominion, geographical position, &c., into consideration, fair to both Provinces, see how much New Brunswick would require and be entitled to as measured by the requirements of British Columbia. The undersigned do not import into the discussion the building of the Pacific Railway, or the immense direct and indirect benefit thereby to accrue to British Columbia; nor do they, by any means, now question the propriety of the final arrangement. It was eminently proper that British Columbia should be amply provided for, in just ratio with the other Provinces; and conceding, for the sake of the argument, that this only has been done, deduce how manifestly unjust the "British North America Act" must be to New Brunswick.

The three following items are selected from the estimated expenditure for the year ending 1872:—

\* 33rd Vic., cap. 2.

† Speech at Ottawa, 10th April, 1871.

## Civil Government—

Lieutenant-Governor's Office . . . . .	\$2,152 00	
Colonial Secretary's Department . . . . .	7,640 00	
Printing branch . . . . .	3,220 00	
Audit branch . . . . .	1,600 00	
Treasury branch . . . . .	3,392 00	
Registrar's Department. . . . .	1,940 00	
Lands and Works Department . . . . .	10,485 00	
Attorney-General and Clerk . . . . .	5,100 00	
Clerk Executive Council . . . . .	1,600 00	
Legislation . . . . .	13,350 00	
		<u>\$50,479 00</u>

## Education—

Aid to district schools . . . . .	40,000 00
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## Works and Buildings—

Government houses, public buildings, &c. . . . .	\$23,000 00	
Repairs, public roads . . . . .	140,450 00	
		<u>163,450 00</u>
		<u>\$251,989 00</u>

Or again, it will be found the total expenditure in British Columbia is estimated for the year ending 31st day of December, 1872, at . . . \$505,435 00 while the estimated expenditure for New Brunswick was contracted to . . . . . 472,902 00

In favor of British Columbia . . . . . \$32,533 00

Because, unlike British Columbia, no adequate provision could be made for "charitable allowances," "public buildings," "literary institutes," &c., &c.; indeed, many important improvements of an emergent character, now neglected in New Brunswick, have been amply and properly cared for under the arrangements concluded on the admission of British Columbia into the Union. The appropriation for the road service alone in that Province is placed at \$140,450, as will be seen above.

The appropriations by the Dominion of Canada for British Columbia for 1872-3 will be interesting in this connection:—

Salary of Lieutenant-Governor . . . . .	\$8,000 00
do Auditor . . . . .	5,000 00
Supreme and county court judges . . . . .	29,500 00
Administration of justice . . . . .	10,000 00
Expenses collection revenue . . . . .	20,000 00
Mail service—Ocean and inland . . . . .	104,000 00
Lighthouses—Construction and maintenance . . . . .	25,500 00
Telegraph—Subsidy and maintenance . . . . .	29,000 00
Blasting Sister Rock . . . . .	7,000 00
Marine expenses . . . . .	2,000 00
Inland Revenue expenses . . . . .	2,000 00
Victoria dredger expenses . . . . .	10,000 00
Steamer "Sir James Douglas" expenses . . . . .	20,000 00
Building Custom house and post office, Victoria . . . . .	25,000 00
Building marine hospital . . . . .	20,000 00
Preliminary surveys for penitentiary . . . . .	5,000 00
Indian affairs . . . . .	20,000 00



Militia equipments, stores and expenses	30,000 00
Grant towards immigration	5,000 00
	<u>\$377,000 00</u>
Subsidy under Union terms	214,000 00
Interest saved and sinking fund	120,000 00
	<u>\$711,000 00</u>

It may be observed that while New Brunswick is alleged to have become indebted to the Dominion in the sum of \$83,000 and upwards on interest account, British Columbia is receiving from the Dominion \$120,000 on the same item.

The probable receipts from Customs, in British Columbia, now collected by the Dominion Government, is placed at	\$300,000 00
In New Brunswick it has been shown to be, not including Excise and stamp duties*	1,222,838 54
	<u>\$922,838 54</u>
In favor of New Brunswick	\$218,119 01
Add—Excise	11,879 98
Stamps	<u>229,998 99</u>
Say	<u>\$1,152,837 53</u>

And it may not be improper to remark the following differences:—

	New Brunswick.	British Columbia.
Lieutenant-Governor	\$7,000 00	\$8,000 00
Administration of justice, judges, &c.	30,000 00	39,500 00
Militia, say	24,595 78	30,000 00

And in many items similar proportions. But this enquiry need scarcely be prolonged.

Certainly, those who would add further taxation to New Brunswick, taking all these circumstances into consideration, should be convinced that New Brunswick has made sufficient sacrifice for the sake of the constitution, and does not deserve a further infliction in lieu of parental consideration. But thus far they have studiously ignored, or are ignorant of, the large labor tax imposed upon the people.

#### STATUTE LABOR IN NEW BRUNSWICK.

Let them consider the statutory system of road labor;† the actual payment by the people of hard work upon the highways, partially in lieu of money, and by allowing a fair estimate of wages for this work—a direct tax itself—and to that add the taxation on property for road work under this law upon the farm lands, alone estimated, in 1861, at 3,787,524 acres, and valued at \$31,169,946,‡ and the local taxation already assessed, and even they will see the impropriety of advising a further draft upon the people's pocket. That those not acquainted with this subject, or the law relating to it, may understand them, reference may be made to the following sections of the law:—

“All the public roads, streets and bridges of each county, shall be cleared, maintained and repaired by the male inhabitants thereof, being twenty-one years of age and upwards, except Ministers of the Gospel and licensed schoolmasters employed as such, not having property liable to assessment, and emigrants from Great Britain and Ireland, arriving within the year the assessment is made, who shall work either in person or by sufficient substitutes in such year, with such implements as the sur-

\* *Ante*.—And Public Accounts, No. 1, page 5.

† Stat. N. B. 25 Vict. cap. 16, secs. 15-16.

‡ Census of N. B. 1861, page 8; letter of Oct. 2, 1871.

veyors shall direct, the number of days, eight hours actual labor to each day, as follows, viz.:—All persons of twenty-one years of age and above, three days, and for any real or personal estate he may possess, not exceeding \$100, one day; exceeding \$400 and not exceeding \$1,200, two days; exceeding \$1,200 and not exceeding \$2,000, three days; and so on in like manner for every \$800, one day additional for any real or personal estate he may possess, not in the whole to exceed thirty days in any one year; and for every \$800 of real and personal estate over and above such sum as will, together with the three days' poll-rate, make thirty days, the owner of such property shall be taxed at the rate of 50 cents for every \$800, which shall be paid in money. All divided or undivided estates of females and minors shall be assessed in the same ratio as the estates of residents: Any assessment on the property of females and minors may be paid for in labor by substitutes."

This Act also extends to keeping open and protecting the roads, &c., of the Province throughout the winter season, by the imposition of four days' additional work upon every taxable individual, with or without teams, &c., as occasion shall render necessary, and whenever the surveyor may require; and, as a study of its provisions will at once show, this law involves a very large provincial taxation, which it is almost impossible wholly and accurately to reduce by arithmetical calculation to a money equivalent. Throughout the Province this law is enforced—in some counties and districts probably more severely than in others, but in all of them to an important extent, and universally as fully as before Confederation.

And this is not, be it remembered, at all connected with the annual provincial grants of \$65,000 for the bye road service; of \$38,000 per annum for the maintenance of upwards of twenty-five miles of bridges on the great road establishment; and the cost of maintaining 2,334 miles of great roads.\* Let it be borne in mind, moreover, that the common school system of the Province is now based upon the principle of direct assessment; that many other taxes, municipal in their character, are borne by the people; and it will be admitted that the direct and indirect taxation of so young a Province, with so large a territory and yet so sparsely settled, with settlements scattered over a large portion of it, as New Brunswick, and "in proportion to wealth and population," for Canadian, provincial, civic, town and parish purposes, will compare with the whole taxation of any other Province of the Dominion.

#### THE ACTION OF PARLIAMENT.

But whether this point be conceded or not, surely New Brunswickers have a right to reply, that without any new system of taxation, provincial or municipal, the machinery of government worked smoothly and efficiently, and the Province enjoyed ample means for public works, and an annual surplus of income over expenditure up to 1867. Whence the change since that time? And the undersigned conclude this branch of the discussion by once more respectfully directing the attention of His Excellency the Governor General in Council to the opinions promulgated by the Government on the subject of Nova Scotian affairs, and accepted by a majority of Parliament, and condensed thus:—

† "That it will be the care and wish of the Government and Parliament of the Dominion to relax or modify any arrangements which may prejudice the peculiar interests of Nova Scotia and the maritime portion of the Dominion. \* \* \* The Canadian Government is not only ready, but anxious, to enter upon a frank and full discussion of these points, and are prepared, in case the pressure of taxation should be shown to be unequal and unjust to Nova Scotia, to relieve that pressure by every means in their power,"—(Sir John A. Macdonald.) "Nova Scotia disclaims any desire to seek financial concessions which are not warranted on grounds of strict justice, or any modification of the original terms of Union which would place Nova Scotia otherwise than on a footing of equality with the rest of the Dominion, or beyond what would enable the Province to meet the expenditure indispensably neces-

\* Sessional Papers of Canada, 1869, Vol. 2, No. 3, Paper 8, Appendix 23.

† Nova Scotia correspondence. \* B. N. A. Act, sec. 119.



sary to carry on its local affairs without having recourse to a system of taxation new to its inhabitants, and to which neither of the other Provinces is required to subject its people. \* \* \* It is further urged that, notwithstanding the increase on her burdens, the total amount received by her from the Dominion treasury, and from the provincial sources of revenue and the assets reserved to her, fall far short of what she formerly had, and are less, indeed, than is necessary to carry on the Government and provide for the local services which the constitution has assigned to her. From the statements thus adverted to it would seem to follow: \* \* \* 6th. That the local sources of revenue at present possessed by Nova Scotia are inadequate to carry on the service devolving on the Province.”—(Sir John Rose.) “The final point which is discussed in Mr. McLelan’s letter is a most important one for Nova Scotia, and is indeed the basis of the whole question between us, viz.: has Nova Scotia the means of carrying on the necessary local expenditure, without having recourse to direct taxation, or some other means of raising the requisite revenue, over and above what it will have to contribute towards the General Government. \* \* \* The statement appears to me to be conclusive as to the impossibility of Nova Scotia carrying on its ordinary expenditure under the present terms of Confederation, without resorting to direct taxation, or throwing the burden of education and local works, partially, at least, on the municipalities. It is true that this is largely done by Canada proper, and that without the municipal taxes its local expenditure could not be kept up to its present amount: but a Nova Scotian may well answer that their provincial revenues were enough for their wants in this respect without having recourse to municipal taxation.”—(Mr. Auditor-General Langton.)

#### THE TEN YEARS’ SUBSIDY.

Consequent upon its exceptional position and difficulties, compared with those other Provinces, the British North America Act provided for New Brunswick a subsidy of \$63,000,\* for ten years from July 1st, 1867. It is submitted the exceptional state of things will not be changed in 1877, but the bases on which this subsidy was granted will continue to exist. Again, it was not considered, in 1867, that the same grounds for the granting of this subsidy obtained in Nova Scotia; nevertheless, it soon became necessary to provide a ten year subsidy for that Province, and \$82,693 annually, from 1st July, 1867, were granted. *A fortiori*, the grant of \$63,000 to New Brunswick, in its exceptional circumstances, cannot be sufficient. The undersigned do not complain of this grant to Nova Scotia—they refer to it only as proving, from a Dominion standpoint, the insufficiency of the grant of \$63,000; for if, in 1867, it appeared that New Brunswick, for the reasons aforesaid, was entitled to \$63,000 more than Nova Scotia, they cannot understand how, in a few months afterwards, Nova Scotia became entitled to \$19,693 more than New Brunswick. Did the exceptional circumstances disappear in New Brunswick and appear in Nova Scotia? Or if, as it is conceded, it requires a subsidy of \$82,693 to do justice to Nova Scotia in her unexceptional position, what subsidy does New Brunswick require in its exceptional situation?

As the undersigned hope that it shall not be necessary again to trespass upon the attention of His Excellency in Council, they feel it their duty to refer to two matters, one not yet submitted to him. These are the subject of “public health,” and “the Albert County Railway.” The latter was referred to when the delegates of 1871 had the honor of a hearing before the Privy Council; the former is yearly becoming a subject of intense interest, and a heavy burden to New Brunswick.

#### PUBLIC HEALTH.

It is submitted, Sir, that the time has arrived when this charge should be taken off New Brunswick, and the maintenance of the public health of this Maritime Province fall upon the Dominion Government. Indeed, it is suggested that under the British North America Act the irresponsibility of the

Dominion is by no means clear. Distinctively, the British North America Act is strangely silent on the subject, and it can scarcely be sustained that the general reference to the exclusive power of the Local Governments, over generally all matters of a merely local or private nature in the Province,\* helps the matter out of the ambiguity of the Act. It surely cannot be called a merely "local or private matter" the prevalence of epidemical and contagious diseases in this seaboard Province. It is a well established fact that the origin of contagious disorders in the seaports of New Brunswick has invariably been found to have been in or with persons who came from beyond the legislative and territorial jurisdiction of the Local Government by sea or rail, and who, unless discovered, either through ignorance or designedly, carried the infection into the interior. Take the cases discovered first at St. John, St. Andrews, St. Stephen, Caraquette, &c. This importation of sickness has almost always been from the United States. To the subject of maintaining the public health, therefore, is at once obviously added the whole management, extent, duration and discipline of quarantine, and must involve legislation affecting the other Provinces and other nations, and which is far beyond the jurisdiction of the Local Legislature. It is manifest that any stringent legislation, at least beyond mere internal arrangements, to prevent a spread of the disease after it has gained a foothold, must touch coast service, commerce, quarantine, interprovincial rights and the laws of nations. It is far from sufficient, as has been most painfully proved, that the Dominion Government should merely exert its protection up to the time when the diseased passengers, with or without the knowledge of the authorities, have landed †—probably with the disease undeveloped, but in its incipient stages, and beyond the reach of any mere inspection—and when the public danger has only really commenced, and then throw them on the care of the Province. More than that: have not this divided liability and conflict of power produced confusion, disquietude and insecurity when the danger was most imminent? Or can the public health be adequately guarded under such a distribution of power and responsibility? True, the staying of the disease is of immense importance, but New Brunswick has no power to prevent its importation, which is of importance far greater; and once introduced through inefficient or insufficient quarantine regulations or inspection, an enormous cost devolves upon the Province. Why, therefore, should New Brunswick bear the burdens entailed by the importation of contagious sickness, simply because the diseased have eluded the vigilance of the Dominion authorities, and when the Province has practically no power to protect itself?

The only power of prevention of any value vests in the Dominion; possessing that power it should bear the burden, if it inadequately or unsuccessfully use it; or, if the public health is to be the care of the Local Government, it should have the fullest power to deal with it, and to pass such legislation as to quarantine, intercommunication and collateral subjects, as will secure, at least, some exemption from danger. This subject, as at present, is therefore of importance, as showing the heavy and increasing charges which fall on the Local Government, and for which they are unable properly to provide. During the years 1871 and 1872 the expense entailed by the existence of small pox, imported directly from abroad, nearly reached the sum of \$8,500; and at the present time heavy expenses are falling upon the Government in view of the existence of that disease in several parts of the Province, clearly brought to New Brunswick by sea and overland routes, utterly beyond the reach of local legislation.

With equal force do these observations bear upon the maintenance of the Lazaretto at Tracadie, in the County of Gloucester, which, it is submitted, should have been under the charge and maintained at the expense of the Federal Government since 1867; or, failing that, is in itself another evidence, not before referred to, of the large drafts upon the small income of the Province. The history of this institution is one of great interest—the disease entirely of an exceptional character in the Dominion—claimed by some and denied by others to be contagious—and the

\* *Ibid*, sec. 92. † Dominion Statutes.



care of which should certainly not be thrown on the Province alone. It will be found, Sir, from the report of the secretary of the Board of Health of Northumberland and Gloucester, and the medical gentleman who recently visited the establishment officially, that the Lazaretto now cannot accommodate the large number of lepers in the neighborhood, and that several lepers are now outside the institution and its discipline—certainly to the great risk of surrounding communities, if the disease is of a contagious type. Dr. Lewin states that "the building is by far too small even for the number now in it, which is twenty-one, and he understands there are between eighteen and twenty-five outside who are laboring under the disease. Hence the advisability of having the building either enlarged or a new one built." The Lazaretto is at present under the management of the Board of Health, while its internal economy is judiciously regulated by Sisters of Charity of the Hotel Dieu, Montreal, whose treatment of the afflicted in the Lazaretto has elicited the warmest praise from those who, from time to time, have reported upon the subject, and on the various and distressing duties they have imposed upon themselves. By carefully prepared estimate, not less than \$16,000 are found to be necessary to provide sufficient accommodation for these lepers, and to hold the disease in check; and not less than \$5,000 are absolutely required to meet the ordinary annual expenditure for maintenance, medicine, professional services, salaries, &c. It is beyond the power of the Local Government to provide for the erection of such buildings, and for the further improvement of the economy and management of the institution, by such an outlay of money; and, it is submitted, therein lies another irrefutable argument in favor of the juster treatment of New Brunswick by the Dominion. Stronger than even this is the claim that, peculiarly this branch of the public health department of New Brunswick, from the peculiarities which surround this exceptional disease, should be assumed by the Federal Government, and generally that the great Dominion interest of the protection of the public health of the subjects of the Confederation from contagious diseases, introduced into the seaports of New Brunswick from beyond its provincial boundaries and the jurisdiction of its legislation, should belong to the exclusive powers of the General Government, and be a charge upon the general revenue.

#### THE ALBERT COUNTY RAILWAY.

Passing to this subject, as affecting the Province of New Brunswick with the Dominion on the one hand, or the future of New Brunswick alone on the other, the undersigned would remark, Sir, that it must be borne in mind that the large debt of New Brunswick has arisen wholly from public works, the construction of which had been provided for by various Acts of the Local Legislature passed prior to the Union.

When the debt of New Brunswick was placed at \$7,000,000, it was supposed that that sum would be ample to meet all the liabilities of the Province that could possibly accrue from engagements to which the faith of the Province was then pledged, but such has not, in point of fact, been the case; for not only had the sum for these works, on the 30th June last, according to Dominion Accounts, amounted to \$677,000 in excess of the \$7,000,000 of debt at which New Brunswick concluded to enter the Union, but the large and important undertaking of the Albert County Railway, involving an expenditure, by way of subsidy, of \$350,000 or thereabouts, has not yet been constructed.

As to the liability of this subsidy, there is at present some difference of opinion between the Dominion and Provincial Governments; but it may fairly be urged that it is one for which New Brunswick, at all events, must make provision.

It was referred to when the subject of Union was before the people of New Brunswick as a portion of the debt which Canada was to assume for New Brunswick, it being then clearly and distinctly stated that all the liabilities for railway construction, of which this is one, would be covered by the obligation imposed on the Dominion Government by the "British North America Act."

The undersigned are aware that some doubt has been expressed as to the obligation of the Dominion Government, in the first instance, to meet this subsidy; but they would respectfully urge that a careful review and consideration of the position of the

matter, and the legislation of New Brunswick prior to the Union, ought at once to dispel any such doubt.

The Act of 27th Vic., chap. 3, passed by the New Brunswick Legislature on the 11th April, 1864, provided for a provincial bonus of \$10,000 per mile for no less than seven distinct lines of railway, of which the Albert County road was one; and it is here important to note that this Subsidy Act had no limit of time within which any company possessing sufficient capital and offering to construct any of the lines subsidized could come in and avail themselves of the facilities it held forth for the building of the various lines specified therein.

So long, then, as this Act remained unrepealed, any company then or thereafter to be incorporated, for the building of any of the lines mentioned in the Act, could look forward to the securing of such subsidy, and it would, by the very terms of the Act, be the duty of the Governor in Council to consent and agree with such company for the building of their line, the only requisite on the part of the company so offering to construct, being the possession of sufficient capital for the purpose.

As the Act had therefore no limit of time within which any company offering to construct any of the lines could come forward with their offer to do so, it will, the undersigned think, be readily admitted that a company might be organized for the purpose two years after the passing of the Act—and if two, why not five years or ten years afterwards; in fact, why not for as indefinite a period thereafter as the Act remained unrepealed.

It is true that the Legislature of New Brunswick might have repealed this Act so far as it related to all or any of the subsidies, but as they have not done so, can it be fairly argued that after the Union of 1867 they were bound to do so, because up to that time no company had made to the Governor in Council an offer to construct any of the lines mentioned in the Act?

It does therefore appear to the undersigned that the Act of 1864 imposed from its enactment a liability upon the Province—in other words, created a debt; which debt, however, it is true, would not become payable until a company possessing sufficient capital had made an offer to construct such line.

On the 17th June, 1867, the Provincial Legislature passed an Act whereby they provided that the provincial aid mentioned in the Act of 1864, as given to the Albert Branch mentioned in that Act, should be given towards the construction and completion of a branch line to connect the European and North American Railway with Hillsborough or Hopewell, in the County of Albert, at such point in either of such parishes as might be deemed most desirable or advantageous in the interests of the company undertaking to construct the same; thus affecting changes in the route of this branch, but by no means relieving the obligation imposed by the Act of 1864.

This being the state of this railway matter at the date of the Union, the undersigned would respectfully submit that the obligation for the subsidy being in full force at the Union, and the Act relating thereto still remaining in full force, it is competent now for any company to make an offer to construct the work, and that thereby the liability or debt created by the Act of 1864 would become payable; and that the fact that the assent of the Governor in Council for the construction of the work has been given since the Union cannot affect the Dominion liability, inasmuch as the power under which such consent has been given was in existence at the Union, the Governor in Council in now so assenting, being merely performing a duty imposed upon them prior to the Union, and the circumstances that they were not called upon to exercise such power till after the Union ought not to alter the bearing of the matter.

If it were otherwise, manifest injustice might be done to the Province; for, if all the obligations imposed by the Act of 1864 had remained unaccepted at the Union, and the day after offers had been made by companies possessing sufficient capital to construct the seven different lines mentioned in the Act, it would have been the duty of the Governor in Council to have consented and agreed to the building of such lines, and thus what was intended and understood in the great scheme of the Union to be a Dominion responsibility would, in effect, have become provincial indebtedness, something that was never contemplated by any of the parties to the Union.



The undersigned are aware that it has been urged that if the Legislature of New Brunswick were now to incorporate a company to build this branch line, that by such Act they could not impose a liability upon the Dominion Government; but they respectfully urge that the mere passage of such Act of incorporation would not *per se* impose the liability, because the liability was already imposed by the Acts passed before the Union, although the effect of such legislation might be to create a body who could ask to have the full benefit of the subsidy under such Acts.

If the faith of the Province of New Brunswick was pledged at the Union to give the aid of \$10,000 per mile to the branch line, it does seem unreasonable, if not unjust, for the people of Albert County now to be told that Dominion responsibility for the obligation has ceased, simply because no company has yet availed itself of the provisions of the Act, when the Act itself fixed no limit of time within which any company was obliged to come forward and offer to construct such railway.

#### RECAPITULATION.

Before the undersigned submit a statement of the requirements of the Civil Service in New Brunswick, they may group a few of the preceding facts, and of those presented in 1871, together, as a *resumé* of the whole argument:

#### *In Confederation—*

New Brunswick pays into the Dominion annually a large sum over the amount it receives from Canada;\*

The *per capita* on duties, &c., in New Brunswick, is larger than in Ontario and Quebec, or Nova Scotia;†

The public works of New Brunswick are the most profitable of any of the Dominion, and are yearly largely increasing their returns to the Federal Government;‡

The revenues in New Brunswick contributed to the revenues of Canada, during the last four years, will be found to have increased 83 per cent., while the average increase in the Dominion for the same period will not exceed 50 per cent.;

In proportion to wealth and population, New Brunswick is now subject to an aggregate of direct and indirect taxation equal to that of any Province of the Dominion.

#### *Again—*

New Brunswick possessed, at the close of the provincial fiscal year, October, 1867, a surplus of \$214,000;

Has reduced the expenses of Local Government and legislation upwards of \$5,000;

Has received, as the purchase money of certain railway iron, &c., &c., belonging to and sold by it, and for immigration purposes nearly \$100,000, which were added to the general income;

Has economically appropriated the public funds, and only for services of an emergent nature;

Has drawn largely upon capital, in the nature of sales of the public domain, &c.;

Has been unable to embark in improvements which are absolutely necessary, or to devote anything near an appropriate amount to the development of the resources of the country; and

Has given a most generous political and pecuniary support to the constitution, and willingly made many great sacrifices in the interests of the Empire and Dominion.

#### *And the Result—*

New Brunswick has been compelled to exhaust the above \$214,000, in addition to income from Canadian and provincial sources;

Is falling in arrear at the rate of \$50,000 per annum;

\* Report Delegates, 1871, page 17. † *Ante*, page 8. ‡ *Ante*, page 9.

If the claim of the Dominion Government shall be found tenable, is already indebted to the Dominion, on interest account, \$83,133.33, and this interest is annually accumulating; in which case, also,

If the subsidy to the Albert Railway is a correct charge upon the Province, then, by adding the principal of the debt, \$677,000, claimed by the Dominion as excess over \$7,000,000, to the subsidy, the Dominion will claim interest on this excess—say \$50,000 more interest per annum;

That a large and unforeseen additional charge upon the local revenue of \$14,500, annually, has been created, in consequence of Dominion legislation on penitentiary discipline;\*

In 1877, under the terms of the British North America Act, \$63,000 will be wholly and for ever withdrawn from the Province; and

New charges, increasing expenses and larger demands are naturally arising in the course of government and public affairs.

*And all notwithstanding—*

That before Confederation New Brunswick was able comfortably to provide for all the requirements of the public service, to maintain a good credit abroad, and foster and develop the resources at home;

To exhibit an excess of yearly income over expenditure;

And, had the Union not been accomplished, would have secured a surplus of upwards of \$336,000 in the public treasury,† under the present rate of the Canadian tariff, or under the New Brunswick tariff of 1866, \$236,131.19.‡

#### PRESENT REQUIREMENTS.

Concluding this whole matter for the present, the question may be asked, Sir, what does New Brunswick require as better terms? Partially, the undersigned may reply:—

As to the matter of public health and the Albert County Railway—the assumption of them by the Dominion Government, and also the repeal or modification of the action of Parliament on the subject of the Province penitentiary;§ or, for the latter, adequate compensation and provision for the pecuniary wrong done by that legislation; and, on account of the former, an allowance of money in making up the aggregate concessions to be granted.

It will be perceived that these three items are placed by the undersigned separate from other matters, and in an alternative way; for they are not purely claims for better terms *per se*, but arise collaterally out of the subject, as showing the moral or legal liability of the Federal Government on the one hand, or the utter inability of the Province to maintain them with its present subsidies, on the other.

Passing from them, the undersigned submit—

That the debt under the allowance of which New Brunswick was asked to go into Confederation shall be increased to the sum of not less than \$8,038,411.

That interest from 1st July, 1867, be allowed New Brunswick upon the balance so long as the public debt does not actually reach that sum, and at the rate of 6 per cent. per annum. as to Nova Scotia;

That, as will logically follow, the disputed claim for interest made by the Dominion, and which the Province has always resisted as not properly chargeable, pending the adjustment of the accounts, be relinquished;

That the subsidy of \$63,000 be made perpetual, as originally asked for in the Conferences of Quebec and London;

That the grant for legislative purposes to New Brunswick be made equal to the grant for the same purpose made to Nova Scotia;||

\* Dom. Stat. 33 Vic, chap. 30; Rep. of Delegates, 1871, page 9.

† B. N. A. Act, sec. 119.

‡ Report Delegates, 1871, page 22.

§ Dom. Stat. 33 Vic., chap. 30.

|| B. N. A. Act, sec. 118; Rep. of Delegates, 1871, page 28.



That a deduction of 10 per cent. be made in favor of New Brunswick on the savings bank account; \* and

That the *per capita* subsidy of 80 cents be estimated without limit to a population of 400,000; †

These, if accompanied with an equitable settlement of the unadjusted accounts of the Dominion with the Province, a fair allowance for the abolition of the export duty consequent on the ratification of the Treaty of Washington, the expenditure in New Brunswick for public works, &c., of an amount equal to that expended from time to time in the other Provinces; and the placing of the judges of the Supreme Court upon salaries equal to those enjoyed by their brethren in the other Provinces of the Dominion, would, for many years to come, not only meet the legitimate monetary requirements of the public service, and enable the Province, by economy and industry, to embark in necessary provincial works and improvements, but would also place it somewhat on an equal footing with the other Provinces of Canada.

The undersigned are deeply sensible of how largely they, and the delegates of 1871, have trespassed on your consideration, and that of the Privy Council: the immense importance of the subject is their only justification. They humbly present these facts and views for the action of His Excellency the Governor General in Council, and sincerely trust you will be able to authorize the Government of New Brunswick to communicate to the Legislature, at the approaching Session, the final answer of His Excellency in Council. The undersigned respectfully assure you, Sir, that further delays, if not attended with disastrous consequences, must be exceedingly embarrassing as to the future course the Legislature should pursue. They assure you, furthermore, that already an anxiety prevails less the report of the delegates of 1871 may prove to have been too sanguine, and the hope of relief to have been without foundation. On every view of the case, therefore, they may add the hope that the further answer of the Privy Council will be of such a favorable and practical and decisive nature as shall immediately reassure the whole people, and precede the introduction of such a governmental measure of parliamentary relief as shall remove every ground of complaint and agitation, and firmly and heartily attach this Province to the Confederation of which it forms so important a part.

With the highest consideration, and anxiously awaiting the earliest decision of His Excellency in Council.

We have the honor to be, Sir, your obedient servants,

R. YOUNG,

JNO. JAS. FRASER,

BENJ. R. STEVENSON,

WM. WEDDERBURN.

Hon. J. C. AIKINS,

Secretary of State, Canada, &c.

The House, according to Order, resolved itself into a committee to consider certain proposed resolutions declaring it expedient to compensate the Province of New Brunswick for loss sustained by the repeal of the export duty on lumber, &c., and after some time spent therein, Mr. Speaker resumed the Chair; and the Hon. Mr. Campbell reported, that the Committee had come to several resolutions.

Ordered, That the report be now received.

The Hon. Mr. Campbell reported the resolutions accordingly; and the same were read, as follows:—

1. Resolved, That by chapter 15, title 3, of the Revised Statutes of New Brunswick, amended and made permanent by later Acts of the Legislature of that Province, certain duties of export on lumber shipped therefrom are imposed, the proceeds whereof belong to the said Province.

2. Resolved, That by section 124 of the British North America Act, 1867, it is provided that nothing in that Act shall affect the right of New Brunswick to levy the lumber dues imposed by the said provincial Act, or any Act amending it, before or after the Union.

\* Can. Accts. III, page 16; Report Finance Minister in N. S. correspondence; Can. Accts. III, page 18; Report Delegates, 1871, page 26.

† B. N. A. Act, sec. 118.

3. Resolved, That by Article XXX of the Treaty of Washington, it is agreed that for the term of years mentioned in Article XXXIII, Her Majesty's subjects may carry, in British vessels, without payment of duty, goods, wares and merchandise from one port or place within the territory of the United States, upon the St. Lawrence, the great lakes, and the rivers connecting the same, to another port or place within the territory of the United States, as aforesaid; provided that a portion of such transportation is made through the Dominion of Canada by land carriage, and bond, under such rules and regulations as may be agreed upon between the Government of Her Britannic Majesty and the Government of the United States; and that by Article XXXI of the said treaty it is declared that Her Britannic Majesty further engages to urge upon the Parliament of the Dominion of Canada and the Legislature of New Brunswick that no export duty, or other duty, shall be levied on lumber or timber of any kind cut on that portion of the American territory, in the State of Maine watered by the River St. John and its tributaries, and floated down that river to the sea, when the same is shipped to the United States from the Province of New Brunswick, and that in case any such export or other duty continues to be levied after the expiration of one year from the date of the exchanges of the ratifications of the said treaty, it is agreed that the Government of the United States may suspend the right of carrying therein before granted under Article XXX of the said treaty for such period as such export or other duty may be levied.

4. Resolved, That the privilege granted by Article XXX of the said treaty will be of advantage to Her Majesty's subjects in Canada, and tend to facilitate the commerce of the Dominion with the United States, and that it is therefore desirable that such arrangements should be made with the Province of New Brunswick, respecting the said export duty on lumber, as will prevent the suspension of the said privilege, and with that view to offer to the said Province such fair indemnity, not exceeding the sum of \$150,000 per annum, as would compensate the present and prospective loss it would sustain by the total repeal of the said export duty and the abandonment of the right to impose any such duty in future, inasmuch as it would be difficult to abolish the said duty on lumber cut on American territory only, without incurring great loss and expense, and the risk of possible misunderstanding with citizens and authorities of the United States.

The said resolutions, being read a second time, were agreed to.

Ordered, That the Right Hon. Sir John A. Macdonald have leave to bring in a Bill respecting the export duties imposed on lumber by the Legislature of the Province of New Brunswick.

He accordingly presented the said Bill to the House, and the same was received and read the first time.

Ordered, That the Bill be now read a second time.

The Bill was accordingly read a second time.

Ordered, That the Bill be read the third time on Monday next.

#### DOMINION SUBSIDY.

In April last the Dominion Government gave notice that they would not continue the annual appropriation of \$10,000 paid since the Immigration Conference of 19th September, 1871, to the Province in aid of immigration. Unquestionably the Dominion Government had the right to discontinue this annual appropriation. It was, however, felt, in the case of this Province, inasmuch as for the immigration policy for the year 1874 the Government had estimated upon the payment, and that all the arrangements for the year had been almost altogether carried out, and the expenses, to a large extent, paid, that a fair representation of the position in which this Province was placed would induce the Dominion Government, if not to continue this annual appropriation, at least to pay it for the year 1874.

No opportunity offered of presenting this matter for the consideration of the Dominion Government until the Immigration Conference held at Ottawa, on the 4th of November last, at which I represented the Province of New Brunswick.



I then fully submitted to the Minister of Agriculture and the Minister of Finance the whole case of the Province of New Brunswick in this matter, and I feel satisfied it will be so favorably considered that the payment of the \$10,000 for the year 1874 will be secured.

#### IMMIGRATION CONFERENCE.

On the 4th of November last an Immigration Conference, convened by the Hon. the Minister of Agriculture, met at Ottawa.

The Conference was presided over by the Minister of Agriculture.

There were present the Hon. Alex. Mackenzie and the Hon. L. Letellier de St. Just, representing the Dominion Government;

The Hon. Adam Crooks representing the Government of the Province of Ontario;

The Hon. J. G. Robertson and the Hon. H. G. Malhiot representing the Government of the Province of Quebec;

And myself representing the Government of the Province of New Brunswick.

On the next day the Hon. W. Annand and the Hon. W. H. Smith attended the Conference, representing the Province of Nova Scotia.

This Conference had been convened for the purpose of considering a proposition submitted on behalf of the Government of Ontario by the Hon. Mr. Crooks, for the more satisfactory working of the immigration agencies of the several Provinces abroad, and to bring them more in harmony with those of the Dominion Government, and also for the more effectually representing the interests of the Provinces as such, together with those of the Dominion, in the United Kingdom and on the continent of Europe.

During its deliberations the Conference was visited by His Excellency the Governor General and by the Hon. R. J. Cartwright, Minister of Finance, and the Hon. F. Geoffrion, Minister of Inland Revenue.

E. Jenkins, Esq., M.P., Agent-General of the Dominion, also attended the sittings of the conference.

After full discussion of the proposition submitted by Mr. Crooks, and consideration of statistics and information presented by the Minister of Agriculture and other members of the Conference, the following memorandum was unanimously adopted:—

*MEMORANDUM of the Immigration Conference held at Ottawa on the 4th and 5th November, 1874.*

“In order to secure united and harmonious action in promoting emigration from the United Kingdom and the continent of Europe to Canada, the following proposals have been agreed to by the representatives of the Provincial Governments now present:—

- “1. The control and direction of all matters connected with promoting emigration from the United Kingdom and the continent of Europe to Canada shall be vested in and exercised by the Minister of Agriculture at Ottawa.
- “2. Independent agencies for any of the Provinces shall be discontinued.
- “3. Each Province shall be authorized to appoint a sub-agent and obtain office accommodation for him in the Canadian Government offices in London; and such sub-agent shall represent the special interests of the Province by which he is appointed, in emigration matters and generally.
- “4. Each Province may employ any special agent or agents, or other means for the encouragement of emigration, subject to the direction hereinafter stated.
- “5. The sub-agents placed by the Provinces in the London offices, or the special agents employed by them for promoting emigration, shall be under the direction of the Agent-General, acting under instructions from the Minister of Agriculture.

- "6. The salaries of sub agents and special agents appointed by the Provinces shall be paid by the Provinces appointing them.
- "7. The Dominion Government shall take every means to promote immigration, and shall afford facilities for the transport of immigrants, by partial payments in reduction of ocean passage, by arrangements with steamship companies and their agents, and by such other means as may be deemed efficient for the purpose of introducing immigrants to each Province, according to its requirements.
- "8. The Dominion Government shall afford all facilities at its offices in London for giving information to the public respecting the Dominion generally, and the several Provinces, and their resources in particular.
- "9. For more effectually carrying out this object, all the Provincial Governments shall furnish to the London offices the statutes of the several Provinces, together with all printed public documents and maps since Confederation.
- "10. The London offices shall be accessible to, and a place of reference for all persons from any of the Provinces.
- "11. The Provinces shall respectively contribute towards the increased office expenses in London, arising from the proposed arrangements, the annual sums following:—

Province of Ontario.....	\$5,500 00
do Quebec.....	2,000 00
do New Brunswick.....	1,000 00
do Nova Scotia.....	1,000 00

- "In case the two last named Provinces unite in appointing one sub-agent, their joint contribution shall be \$1,500.00;
- "And in case British Columbia and Prince Edward Island choose also to avail themselves of the Canadian offices in London, each shall pay to the Dominion Government such sum as may be agreed upon with the Minister of Agriculture.
- "12. A liberal policy is to be maintained by the Dominion Government for the settlement and colonization of Crown lands in Manitoba and the North-West Territories; and it shall disseminate such information with reference to Canada generally, and to Manitoba and the North-West Territory in particular, as may be deemed necessary for the advancement of immigration.
- "13. The arrangement now made shall last for five years, and afterwards continue for a further term of five years, unless notice is given to discontinue during the first term.
- "14. These proposals to be binding on the several Governments of the Provinces which may confirm the same, but till then they are to be deemed only provisional."

This memorandum of the Conference was, on the 9th January instant, considered by the Government of the Province, and by Minute of Council on that day adopted and confirmed.

The immigration to the Province for the year 1875 will be conducted through the instrumentality of the agency to be established in pursuance of the provisions of the Conference arrangement.

Respectfully submitting this report for the favorable consideration of Your Honor and the Legislature,

I have the honor to be your obedient servant,

BENJ. R. STEVENSON.

BROWN LAND OFFICE, 11th January, 1875.



*"Message to the House of Assembly, 12th April, 1876.*

"S. L. TILLEY.

"The Lieutenant-Governor, in reply to the Address of the House of Assembly, of the 2nd March last, asking for copies of all Orders and Minutes of Council, memoranda, papers, correspondence and reports relating to the recent visit to Halifax of certain members of the Executive Council, begs to transmit all such copies herewith to the House.

"S. L. T."

*In Council 15th January, 1876.]*

Present :

His Honor the Lieutenant-Governor, &c., &c., &c.

Ordered, That the Provincial Secretary forward a confidential communication to the Provincial Secretary of Nova Scotia, on the subject of the special allowance from the Federal exchequer of \$63,000 to this Province and \$82,698 to the Province of Nova Scotia, with a view to taking joint action in urging upon the Dominion Government the desirability of making the same perpetual.

Certified.

F. A. H. STRATON, *Clerk.*

SECRETARY'S OFFICE, 26th January, 1876.

DEAR SIR,—At the last sitting of the Executive Council I was directed to forward to your Government a confidential communication on the subject of the special allowances from the Federal Exchequer of \$63,000 per annum to this Province, and of \$82,698 per annum to your Province, with a view of taking joint action in urging upon the Dominion Government the desirability of making the same perpetual.

Should your Government deem it desirable, a conference of delegates from the members of the two Councils could be arranged for.

It is important that the Dominion Government should be approached with whatever application is to be made at an early day, at all events before the close of their next Session, and therefore I hope to have your reply as soon as you can confer with your colleagues in the Government.

I remain, &c.,

JNO. JAS. FRASER.

Hon. P. CARTERET HILL, Provincial Secretary, Halifax.

HALIFAX, 1st January, 1876.

Hon. J. J. FRASER:

Proposition accepted. Where will you meet and when? Our House meets tenth. Meeting must therefore be early this week. Shall we go to St. John, or will you come to Halifax?

P. C. HILL.

(Telegram).

HALIFAX, 1st February, 1876.

Hon. J. J. FRASER, Provincial Secretary.

In view of nearness of meeting of our Legislature, not having heard from you to-day, impossible for us to leave Halifax. Can you not come here?

P. C. HILL.

SECRETARY'S OFFICE, 1st February, 1876.

Hon. P. C. HILL:

Some members of our Council will visit Halifax next week. Will advise you of day likely to visit there.

JNO. JAS. FRASER.

On motion of the Hon. Mr. Fraser, seconded by Mr. Covert.

Whereas the subsidy at present received by this Province from the General Government of the Dominion will, by operation of law, be reduced in the year one thousand eight hundred and seventy-seven by the sum of sixty-three thousand dollars; and

Whereas such a diminution of our provincial revenue would seriously affect the financial condition of the Province; and

Whereas the principles on which the said sum was originally granted, in the judgment of this House, apply to the continuation of the grant; therefore,

Resolved, unanimously, That the Government be instructed, by delegation or otherwise, to open negotiations during recess with the Dominion Government, with a view to obtain a continuation of the said subsidy amount.

#### DOMINION SUBSIDY.

In my last report I felt warranted in stating that the matter of the discontinuance of the Dominion Government to pay the allowance contemplated by the Conference of 19th September, 1871, had been so presented for reconsideration by them, and such assurances had been given that I was satisfied it would be so favorably considered that the payment of the \$10,000 for the year 1874 would be secured. I cannot as yet report that this payment has been secured. The subject has, however, been again brought under the consideration of the Dominion Government, and I am not as yet advised what action they will take in respect of it. I do not, however, cease to entertain the hope that the payment of this \$10,000 will be yet secured.

*"Message to House of Assembly, 15th March, 1877.*

S. L. TILLEY.

"The Lieutenant-Governor lays before the House, documents and correspondence on the subject of the applications for the continuance of the grant of \$63,000 to the Province of New Brunswick.  
"S. L. T."

#### *Schedule of Documents and Correspondence referring to Better Terms Delegations.*

No. 1. Report of the Better Terms Delegation of New Brunswick, 1871, and letter of delegates, under date the 31st January, 1873, addressed to the Hon. the Secretary of State.

No. 2. Despatch from delegates, Hon. Messrs. Fraser, Stevenson and Willis, to Secretary of State, 7th December, 1874, submitting that New Brunswick is entitled to have passed to her credit, on debt account, the sum of \$150,000, with which she is now charged by the Dominion in connection with the railway known as Eastern Extension, from Pains Junction, on the European and North American Railway, to the Nova Scotia boundary, for reasons set forth.

No. 3. Despatch from same delegates to Hon. Secretary of State, 7th December, 1874, representing that New Brunswick is entitled to have passed to her credit with the Dominion, on debt account, the sum of \$300,000, being the stock taken by the Province in the line of railway known as Western Extension, with which sum she has been charged by the Dominion.

No. 4. Despatch from same delegates to Hon. Secretary of State, 7th December, 1874, calling attention of Privy Council to claim made by Province for credit on debt account of the sum of \$50,000 sterling, for stock taken many years since by the Province in the St. Andrew's and Quebec Railway.

No. 5. Despatch from same delegates to Hon. Secretary of State, 7th December, 1874, calling attention of Dominion Government to question of public health.

No. 6. Despatch to Hon. Minister of Finance from Hon. Messrs. Young and Fraser, stating grounds for continuance of the special subsidy of \$63,000 to the Province of New Brunswick.



No. 7. Despatch from same delegates to Hon. Secretary of State, 26th January, 1877, requesting that their statement addressed to the Minister of Finance, on the subject of the \$63,000 subsidy, may be laid before His Excellency the Governor General at an early day.

No. 8. Despatch from Hon. Secretary of State, stating that despatch addressed to Hon. Minister of Finance has been received, and will be laid before the Governor General, dated 27th January, 1877.

No. 9. Despatch from Secretary of State, 14th February, 1877, transmitting copy of Order in Council, 13th February, on subject of discontinuance of grant of \$63,000, with copy of memorandum of Minister of Finance on subject.

No. 10. Report of Committee of Privy Council, approved by the Governor General, referred to.

No. 11. Memorandum of Minister of Finance referred to.

### No. 1.

#### REPORT OF THE BETTER TERMS DELEGATION OF NEW BRUNSWICK, 1871.

*To His Excellency the Honorable Lemuel Allan Wilmot, D. C. L., Lieutenant Governor of the Province of New Brunswick, &c., &c., &c.*

MAY IT PLEASE YOUR EXCELLENCY,—

On the second day of June last, the undersigned had the honor to receive from Your Excellency in Council appointment as delegates to proceed to Ottawa, to confer with the Honorable the Privy Council of Canada, on the subject of the claims of the Province of New Brunswick to "better terms," as a portion of the Dominion under the Constitution of 1867.

As soon as Your Excellency's pleasure was communicated to them, the undersigned placed themselves in readiness to enter upon their mission, and opened correspondence with the Hon. Mr. Tilley, C.B., Minister of Customs, for the purpose of ascertaining at what time it would be most convenient for the Honorable the Privy Council to receive them.

Pursuant to information received from him, the undersigned met at Ottawa on Saturday the 7th day of October instant, and were courteously assigned a room in the Departmental Buildings, the more conveniently to attend to the business of their mission.

They immediately transmitted to the Hon. Mr. Howe, Secretary of State for the Provinces, a letter, under date of the 2nd day of October, disclosing the nature of their appointment, and setting forth some of the claims of New Brunswick upon the Government and Parliament of the Dominion for "better terms."

They have the honor to submit to Your Excellency a copy of that letter, as follows:—

FREDERICTON, N.B., 2nd October, 1871.

SIR,—You are, no doubt, already aware that at the last Session of the Legislature of the Province of New Brunswick resolutions were unanimously passed by the House of Assembly, affirming that—

"Whereas the Province of New Brunswick accepted the scheme of Confederation in good faith, and distinctly on the terms fixing the rights and claims respectively of the Maritime Provinces of Nova Scotia and New Brunswick, agreed upon by their delegates and approved by their Legislatures, and ratified by the Imperial Parliament by 'The British North America Act, 1867;' and, in the opinion of this Honorable House, the claims and financial status of the Province of Nova Scotia in the Dominion should not have been improved without at the same time granting and securing to this Province a proportionate advance; and by granting to the Province of Nova Scotia increased subsidies and more advantageous terms, without increasing the subsidy and improving the financial terms secured to this Province, the fundamental provisions of The British North America Act, and the solemn com-

act entered into with the people of New Brunswick, have been re-opened and materially altered;

"And whereas the Province of New Brunswick is therefore justly entitled—and should respectfully demand—to have provision made for it, to the same extent and value, effect and amount, as the better terms so granted to Nova Scotia are in excess of those actually provided for and granted to the said Province by the British North America Act;

"And whereas, also, the terms granted to the North-West Territory, and offered to Newfoundland and British Columbia, are proportionately largely in advance of those given to this Province, and appear to have been completed on a basis entirely different from that on which the scheme of Confederation was arranged and agreed to; and the arrangements entered into with this Province, subjected to the terms subsequently made with Nova Scotia, and offered to British Columbia and Newfoundland, are inadequate to meet the actual and pressing requirements—and must, in the opinion of this House, fall far in arrear of the future exigencies—of this Province; therefore,

"Resolved, That it is the imperative duty and should be a part of the fixed policy of the Government of this Province to press, by every constitutional means, upon the Government and Parliament of this Dominion the right of this Province to, and firmly endeavor to secure better terms under The British North America Act; and also, an advance upon the terms originally granted to this Province to as full an extent as the increased subsidies and better terms subsequently granted to Nova Scotia are in excess of the subsidies and terms actually secured to that Province by The British North America Act."\*

The following resolutions were also unanimously carried by the Legislative Council of the Province during the same Session:—

"Whereas at a Conference of delegates for the Provinces of Canada, Nova Scotia and New Brunswick, held at Westminister Palace Hotel, London, December the 24th, 1866, it was resolved that the position of New Brunswick being such as to entail large immediate charges upon her local revenues, it was agreed that for the period of ten years from the time when the Union should take effect she would receive an additional allowance of sixty-three thousand dollars per annum—which was in addition to her annual subsidy of eighty cents per head on her population, and fifty thousand dollars for the support of her local Government;

"And whereas it appears from the Public Accounts of the Dominion of Canada for the year ended 30th June, 1870, that New Brunswick is indebted to the Dominion in the sum of five hundred and seventy-six thousand two hundred and ninety-eight dollars, which, under the provisions of The British North America Act, 1867, shall draw interest at the rate of five per cent. per annum, and shall be deducted from the provincial subsidy, thereby reducing the same nearly thirty thousand dollars;

"And whereas the financial condition of this Province is such that it is highly desirable and expedient that there should be no reduction in the subsidy at present paid to New Brunswick, in consequence of interest accruing on her public debt, but, on the contrary, a reasonable additional allowance should be made, commensurate with her position;

"And whereas it appears by an Act made and passed in the 32nd and 33rd years of Her present Majesty's reign, entitled: 'An Act respecting Nova Scotia,' it was deemed just and expedient to add to the sums payable to the Province of Nova Scotia under The British North America Act, 1867; therefore,

"1. Resolved, As the opinion of this House, that the additional allowance of sixty three thousand dollars mentioned, is entirely insufficient to meet the large immediate charges referred to by the Conference.

"2. Resolved, That the amount of debt—seven millions of dollars—with which New Brunswick was allowed to enter the Union is not proportional with the heavy liabilities she incurred in public works, which are now the property of the Dominion.

\*Journals of House of Assembly of N. B., 1871, pp. 153, 195.



"3. Resolved, That before any reduction is made to the annual subsidy to New Brunswick, in consequence of interest accruing on her public debt, due consideration should be given to the propriety of placing her in the same position as the Maritime Province of Nova Scotia, in regard to the amount of debt with which she entered the Union.

"4. Resolved, That an additional subsidy, proportionate to the sum allowed to Nova Scotia, under the provisions of the above recited Act relating to Nova Scotia, should be also allowed to New Brunswick from the Dominion treasury."\*

Immediately upon the passage of the resolution recited, they were presented to His Excellency the Lieutenant-Governor of New Brunswick, "with an humble Address, praying that His Excellency may be pleased to cause such steps to be taken as may give effect" to them.

On the second day of June last the undersigned had the honor to receive from His Excellency the Lieutenant Governor of New Brunswick in Council, appointment as delegates to proceed to Ottawa on the subject of the action of the Legislature referred to above,—and also generally to consider the abstract right of this Province to better terms as a member of the Dominion—and to submit for the consideration of His Excellency the Governor General in Council a statement of the present position, and an estimate of the probable future exigencies of the Province—in the light of the Act of Confederation.

#### THE NOVA SCOTIA READJUSTMENT.

It may be desirable at the outset to affirm that in the execution of the responsible trust confided to them the undersigned do not conceive it to be their duty to present anything in the nature of complaint or grievance because better terms have been conceded to Nova Scotia. If, upon a reconsideration of the financial branch of the scheme of Confederation and the Act of Union, it appeared injustice was done to the sister Province, or that the original terms concluded to her were insufficient to provide comfortably and efficiently for the public services customarily provided for, and at the same time to proceed with the development of the resources committed to the care of the Local Government, no objection to the readjustment need be started, whatever considerations may have been urged on the subject of the inadvisability of reopening the question, and whatever objections may be raised as to the terms of the final result. For, it having been established, both by the positive action of the Canadian Parliament and the official decision of the Crown (see Lord Granville's despatch) that it falls legitimately within the prerogative of that Parliament to reopen and readjust the scheme, the Imperial Act to the contrary notwithstanding, it could serve no good purpose to proceed with any argument on that point. The undersigned, however, feel called upon to refer to these matters, that it may distinctly appear of record that, in their presentation of the case of the Province of New Brunswick—and in their institution of "comparisons" between that Province and Nova Scotia, or any other portion of the Dominion—and in their allusions to the accounts as they exist between those Provinces and the Dominion—and to the "correspondence and negotiations" connected with the affairs of Nova Scotia—they are impelled by no unfriendly spirit. It is their desire in this procedure—while reserving any opinions they may have entertained while the "negotiations" were pending—simply to ascertain, by legitimate comparisons and considerations, how far the Province in whose interest they are acting is entitled, from a New Brunswick point of view—from a Dominion standpoint—and from the position now secured to Nova Scotia—to better terms under the constitution.

#### THE SPIRIT OF THE NOVA SCOTIA NEGOTIATIONS.

The undersigned, as they proceed with their enquiries, will therefore take the liberty to refer to the "correspondence" with Nova Scotia, as laid before the Dominion Parliament.

\*Journals of the Legislative Council of N. B. 1871, pp. 21, 66.

When the Premier of Canada, under date of the 6th day of October, 1868, opened the correspondence with the Hon. Mr. Howe, and referring to the despatch of the Duke of Buckingham to Lord Monck, under date of 4th day of June preceding, he remarked that the Duke of Buckingham "expresses a confidence," which the Premier declares to be well founded, "that it will be the care and wish of the Government, and of the Parliament of the Dominion, to relax or modify any arrangements which may prejudice the peculiar interests of Nova Scotia and the maritime portion of the Dominion." And the Premier proceeds to say, under the same date:—

"On this point I can only repeat what I stated before the committee, that the Canadian Government is not only ready, but anxious, to enter upon a frank and full discussion of these points, and are prepared, in case the pressure of taxation should be shown to be unequal or unjust to Nova Scotia, to relieve that pressure by every means in their power. They are also ready to discuss any financial or commercial questions that may be raised by the Nova Scotia Government, or yourself, and the representatives of Nova Scotia to the Parliament of the Dominion. \* \* \* \* And I now reiterate the assurance I then gave, that the Government here will consider the question, not in a rigid, but in the most liberal spirit, with a desire to do even more than justice, for the sake of securing the co-operation of the people of Nova Scotia in the work of the new constitution. We will enter upon this enquiry whenever it suits your convenience, and the Canadian Government engage to press upon Parliament, with all the influence they possess, the legislation required to carry out any financial readjustment that may be agreed upon. \* \* \* \* It is so obviously the interest of the Government and Parliament of the Dominion that the Union should work satisfactorily, that the Nova Scotia representatives may rest well assured of every suggestion of theirs being fully considered."—[Nova Scotia correspondence.]

These eminently correct principles the undersigned desire shall be applied to the case of the Province of New Brunswick; not that they seek "more than justice," but simply that liberal and just consideration which shall secure a willing continuance of that cordial "co-operation" which the people of New Brunswick have ever accorded to "the work of the new constitution," and at the same time maintain to them "fortunes adapted to the exigencies of their stations."

#### NEW BRUNSWICK BEFORE AND AFTER UNION.

It may not be out of place at this point to remark that the Province of New Brunswick, by popular vote and good faith, frankly accepted that constitution at a time when she was, as will hereafter appear, in a position to conduct comfortably the affairs of her Government, and fully meet the requirements of the public service, under her then existing relations. The undersigned do not claim that when New Brunswick entered "the partner-ship," as it is called by Mr. Auditor-General Langton, she was not actuated by a desire to better her condition, or that apart from such a purpose she would have embarked in the proposed venture. But they do claim that New Brunswick was largely impelled by a consideration of the Imperial and Canadian policy of the day—the declaration of the British Government by the pen of the Duke of Buckingham, that "the measure is important to the interests of the whole Empire"—and by the anxiety of her people to consolidate under one form of general government the British North American colonies, participating in the traditions and enjoying the protection of the mother country. When it is remembered, also, how much at that time depended upon the action of New Brunswick—that His Excellency the Lieutenant Governor of Nova Scotia had declared that the previous adverse vote in New Brunswick had "effectually dismissed the subject from discussion in Nova Scotia, because no Federal Union of Nova Scotia with Canada was feasible so long as New Brunswick declined to form part of such Federation"—[Despatch of 10th April, 1865], that the Hon. Dr. Tupper has admitted, that "lying as New Brunswick does, between Nova Scotia and Canada, rendering union with Canada impossible without the concurrence of New Brunswick—the consideration of the question was postponed in the Legislature of Nova Scotia, on the ground that



immediate union was then made impracticable"—[Hon. Dr. Tupper's London Letter, 1866]—that New Brunswick was financially and constitutionally prosperous in her isolation; that her people were contented under the existent form of government; that she enjoyed all the privileges arising from responsible government and an independent Legislature under the British Crown, and was comparatively free from many of those political disturbances, "dead-locks" and crises which were of frequent occurrence in other Provinces; that the proposition for a general confederation of the colonies was submitted to her [Lord Monck's despatch, 30th June, 1864; and Minutes of Executive Council, Canada, 23rd September, 1864], and not sought by her, and was accepted in good faith, with many objectionable features, by a process of "compromise" [Attorney General J. A. Macdonald's speech, Ontario Legislature], and at a time when she might have largely dictated her own terms; and that, "in view of the resolutions passed at the Quebec Conference in favor of a confederation of the British North American Provinces, the Charlottetown Conference decided to postpone the consideration of a Legislative Union of the Maritime Provinces;"—[Proceedings, Charlottetown Conference, 3rd November, 1864], and when to all these grave considerations is added the fact, that the people of New Brunswick have ever been anxious for the successful operation of the new constitution—it is thought New Brunswick may most confidently claim at the hands of the Dominion Government and Parliament, the largest and most liberal discussion of her case, present and prospective. Now, notwithstanding these premises, the people of New Brunswick—speaking by the unanimous voice of both branches of the Legislature and by the press of all shades of political opinion—are deeply impressed with the conviction that better terms are not only justly due the Province, but that unless concessions are made to it the Local Government will be unable to carry on public affairs nearly as comfortably and efficiently as before Confederation, to provide for services customarily provided for—and foster and develop the internal industries and resources committed to its charge. But, more than this: they will be compelled soon, and long before the temporary subsidy of \$63,000 is withdrawn, to resort to a system of direct taxation, unknown to our history, repugnant to our people, and against which it was claimed, in 1866, Confederation would be a sure barrier and guarantee. Thus will be absolutely negatived the reasonable expectations of the people, and the "earnest hope" of the British Government, "that the arrangements may not be of such a nature as to increase, at least in any considerable degree, the whole expenditure, or make any material addition to the taxation, and thereby retard the internal industry, or tend to impose new burdens on the commerce of the country." [Mr. Cardwell's despatch, 3rd Dec., 1864.] Indeed, we may feelingly make the language of the late Finance Minister, Sir John Rose, on Nova Scotia affairs, our own, for New Brunswick "disclaims any desire to seek financial concessions which are not warranted on grounds of strict justice, or any modification of the original terms of Union which would place" New Brunswick "otherwise than on a footing of equality with the rest of the Dominion, or beyond what would enable the Province to meet the expenditure indispensably necessary to carry on its local affairs without having a recourse to a system of direct taxation, new to its inhabitants, and to which neither of the other Provinces is required to subject its people."—[Nova Scotia correspondence].

And that the importance attached to the matter of taxation in relation to Nova Scotia may be appreciated, the undersigned present the following extracts relating to that point, *seriatim* :—

Sir John Rose said—"It is further urged that notwithstanding the increase on her burdens the total amount received by her from the Dominion treasury, and from the provincial sources of revenue, and the assets reserved to her, fall far short of what she formerly had, and are less, indeed, than is necessary to carry on the Government and provide for the local services which the constitution has assigned to her."—[N. S. correspondence.] "From the statements thus adverted to it would seem to follow: \* \* \* 6th. That the local sources of revenue at present possessed by Nova Scotia are inadequate to carry on the services devolving on the Province."—[*Ibid.*]

Mr. Langton said—"The final point which is discussed in Mr. McLelan's letter is a most important one for Nova Scotia, and is, indeed, the basis of the whole question between us, viz.: has Nova Scotia the means of carrying on the necessary local expenditure without having recourse to direct taxation, or some other means of raising the requisite revenue, over and above what it will have to contribute towards the General Government."—[N. S. correspondence.] \* \* \* "The statement appears to me to be conclusive as to the impossibility of Nova Scotia carrying on its ordinary expenditure under the present terms of Confederation without resorting to direct taxation, or throwing the burden of education and local works, partially, at least, on the municipalities. It is true that this is already largely done by Canada proper, and that without the municipal taxes its local expenditure could not be kept up to its present amount; but a Nova Scotian may well answer that their provincial revenues were enough for their wants in this respect, without having recourse to municipal taxation."—[*Ibid.*]

Before leaving these points the undersigned cannot refrain from referring to another remarkable and very significant observation in one of the letters of Sir John, and which they beg may be applied to the propositions and statements which they have the honor to submit:—

"It is," said Sir John Rose, "proper to state that the gentlemen engaged in the preparation" of the review by the Dominion officials of the Nova Scotia claims, "were instructed, as the various features affecting the results came up, to deal with them all, not with the aim of endeavoring to prove the equity of the existing arrangements, but rather in a spirit of critical examination, with a view to discovering in what way the several incidents might possibly be unfair to Nova Scotia. That duty, I believe, has been faithfully performed."—[Nova Scotia correspondence.]

There is, Sir, a singular fact which has strikingly impressed itself upon all who have carefully investigated the subject, apart from constitutional and commercial considerations, and regarding the financial position and prospects of this Province. That, whereas, Upper and Lower Canada projected the Union when their finances were manifestly in an unhealthy state, and their political machinery complicated and disturbed; and Nova Scotia, after a severe contest and a subsequent readjustment of the basis of Union, accepted the constitution when her monetary position was even worse than that of the old Provinces; and that whereas Ontario and Quebec now enjoy a surplus in their respective treasuries, represented by millions of dollars, and Nova Scotia has succeeded in all her demands, including the Province building claims, and attained ample provision for her local services, and the prosperous adaptation of the new order of things to her condition, and to ward off then impending deficits and taxation; New Brunswick alone, which was in easy circumstances in 1866—politically quiet and commercially hopeful, notwithstanding a long term of depression in her mercantile and mechanical industries—parted with her form of Government and transferred her most valuable and increasingly remunerative assets to the Dominion—agreed to the conditions and compromises of Confederation for the sake of the new constitution, and has done so much towards making "the work" of it harmonious and successful—now finds herself alone among her sisters, financially unequal to the requirements of the public service—unable to develop her mineral and other local and valuable resources—with monetary and fiscal difficulties and complications increasing, and deficits instead of surpluses impending—with her taxation for general and provincial purposes already enlarged—contributing to stamp duties, excise and newspaper postages for the first time—and a system of direct taxation an inevitable and forgone conclusion! No marshalling of figures or studied process of logic is necessary here; the calm reasoning of events constructs and concludes the whole argument. Indeed, there is clearly no escape for New Brunswick from a future which must be as irritating as it will be novel and unfair to her people, except in the obtaining of a financial readjustment and better terms. And the undersigned humbly submit that before the discontent arising from a knowledge of these facts becomes more widespread and demonstrative, and in order "that the best interests and present and future prosperity of British North America may be promoted by the Federal



Union under the Crown of Great Britain"—[London Conf. resolutions, sec. 1]—the causes directly leading to such irritation and dissatisfaction be removed, that a spirit may not be invoked which shall not "down at our bidding."

The adoption of the new constitution was an experiment; and how it, and the terms conceded to the Provinces under it, would bear upon them, were matters involved in the problem. Mr. Langton, in effect, refers to this when he says, "there has not been time, during the short period since the effect of Confederation has been fully felt, to enable us to show, with any certainty, the financial consequences to Nova Scotia;"—[N. S. Correspondence]—and in the same report he admits that "the principles upon which the debts of the Provinces are to be ascertained have not yet been fully determined upon," three years after the date of Union. This does not now apply to the case of New Brunswick. We are now able to refer, not only to the inequalities and injustice in the case of Nova Scotia, as admitted by the legislation of the Dominion Parliament, but by the actual working of Confederation, and by the reduction of what were estimates to what are facts, to come with great accuracy to the present and prospective results to the Province of New Brunswick. It is nearly reduced to a simple matter of arithmetical calculation. Whatever may have been the expectations of the past they may be easily tested by the facts and figures of the present; and, making logical deductions from nearly five years' history of the Dominion, and realizing that in a very short time in the affairs of a Province \$53,000 per annum will be taken from us—estimate or forecast the future in store for this portion of the Confederacy.

#### THE PENITENTIARY CLAIM.

There is also another important matter which may probably be more correctly and conveniently considered at this time than in the discussion of the claims more justly coming under the title of better terms.

It will appear from the papers which are submitted that a very large prospective charge is referred to as about to fall upon this Province, consequent upon Confederation, and for which the Local Government, as at present advised, will have to make early provision, and which was clearly neither foreseen nor anticipated at the time the basis of Union was agreed upon, and did not enter at all into the consideration of the delegates of Quebec and London, or of the Legislature or people when Confederation was consummated; nor does it appear to have occurred to the Canadian Government until the receipt of the report of the Canadian inspector, after a tour of inspection in the Maritime Provinces.—[Report of Inspector of Prisons, 1869.]

It is clear that by the British North America Act, 1867, the legislative power and authority of the Parliament of Canada were extended to "the establishment, maintenance and management of penitentiaries."—[British North America Act, sec. 91, sub-s. 28.]—Certainly this may now be construed to include the power of regulating the terms upon which admission shall be had to those institutions. Before and at the time of Union the judges of the courts of law in New Brunswick had the right to sentence criminals for any term of penal servitude to the provincial penitentiary. By the operation of the Act the properties and establishment of the penitentiary at St. John were transferred to the Dominion; but it was never understood or contemplated that the power to establish, maintain and manage, would be so exercised as to abolish absolutely for all time rights of the Province as they then existed, recognized by numerous provincial statutes, and to entail upon the local authorities the necessity of establishing, maintaining and managing a local penitentiary in and for the Province of New Brunswick. On the contrary, it certainly was supposed that in this Province they would be maintained and managed, as to the admission of convicts and criminals, precisely as they had been before the "maintenance and management" were yielded up to the Dominion Parliament. By Dominion statute, however (33 Vic., chap. 30), it has been provided that no prisoner sentenced to imprisonment with hard labor for a term less than two years shall be received or imprisoned in the penitentiary after the 1st day of May, 1873. This is a most

startling proposition to the people of this Province; and it is in vain to urge that Parliament is constitutionally all-powerful in the matter, and that we have on the floors of that Parliament representatives from this Province. The scheme of Union was submitted to the people; the scheme itself was formulated by a commission on which we had equal representation; the legislation of Parliament throws burdens on this Province unforeseen and oppressive, in violation of the spirit of the whole compact. It is distinctly believed that neither the provincial delegates, nor the people, nor the Legislature of New Brunswick, would, for a moment, have consented to transfer for ever beyond their own control their valuable institution, with the remotest prospect of providing on their own account for the erection and establishment of an institution proportionally more expensive, out of the scanty stipends granted to them for other emergencies of the public service. It is said proportionally more expensive; for as prisoners and convict laborers for short penal terms are generally of a non-remunerative class—unable, during their limited time of imprisonment, to acquire any proficiency in the “hard labor” to which they may be sentenced, and thereby contribute by their toil to the revenues of the establishment, in the same ratio as criminals under punishment for protracted periods—it will be found more expensive to provide for the annual “maintenance” of the institution, while the expenditure will not be appreciably different. Under the mode of management contemplated by Dominion legislation it will be found, also, that about 75 per cent. of the criminals of New Brunswick will be shifted on to the hands of the Local Government, and that without any visible or adequate means of support. What this will cost will appear hereafter, and may be roundly estimated at \$14,500 per annum.

The undersigned are fully informed of the claims made by, and the negotiations pending or concluded with the city and county of St. John on the subject of the local establishment at that place. It is to be borne in mind, however, that whatever interest that city and county may have in the general subject as already presented—and that their interest therein is very large and important will be readily conceded—their claim differs materially from that of the Province of New Brunswick. The former had an absolute and tangible money and land interest or investment in the existing establishment, which was not considered, or was entirely forgotten, when the transfer was made to the Dominion. If this is the fact, it simply corroborates or illustrates the present proposition, that vesting the “establishment, maintenance and management of penitentiaries in the Dominion was not debated and decided on with a full view of the local interests of the city and county of St. John, and of any intention of Parliament to regulate the admission of criminals by the severe rule established by recent Dominion legislation. Nor does the report that the Canadian Government propose to re-transfer the establishment, on certain terms, to the City and County of St. John, in extinguishment of their direct claims, at all mitigate the great hardship of the case under consideration. The consummation of that project would simply alter the parties, but not the position of the Province, in the matter. It would then remain for the Canadian Government to take care of twenty-five out of (instead of) every one hundred criminals in New Brunswick, and for this Province either to pay to the City and County of St. John, from their scant resources, for the right to sentence their short-term prisoners with hard labor, the remaining 75 per cent. to the transferred prison, and on such terms, liberal or otherwise, as the City and County of St. John should dictate, or provide for and proceed in the erection and equipment and annual maintenance of a separate penitentiary. Neither can the county gaols be at all utilized for that purpose.

#### THE INTERCOLONIAL RAILWAY.

It will be observed from the “correspondence” on Nova Scotia affairs that reference is made to the Intercolonial Railway, and the benefits, pecuniary and otherwise, conferred by the Dominion in the building of that great work, partly in that Province, and as an offset to the contribution made to the Dominion treasury. It may, for similar purposes, be so argued in the case of New Brunswick, particularly



when the very great value of the assets contributed by New Brunswick to the common "partnership" stock is referred to. For their present purpose, however, the undersigned conceive it unnecessary, as it would be unfair, to discuss the probable advantages of the construction of that work to the Province of New Brunswick, for the reasons which they proceed to submit.

At an early hour in the history of the negotiations between the Provinces of Canada, Nova Scotia and New Brunswick, for perfecting a scheme of Union, the subject of the Intercolonial Railway was introduced, and the language employed throughout is remarkable and significant. This line of railroad and its construction were not treated as other proposed public works under Confederation, except probably that the extension of the canal system of old Canada was made somewhat an equivalent as against the Maritime Provinces for the building of that road by Government. The Province of New Brunswick claimed that the Dominion Government, upon certain given terms, should construct that line, not so much as a work of general improvement, and of Imperial and inter-provincial importance and value—the expenditure in each colony to be considered as so much public money invested in that colony, and to its advantage, and on Dominion account—but apart entirely from the financial phases of Confederation, and rather as a condition precedent to the discussion of the subject of Union. In other words, "in consideration" (using the term in its legal sense) that the Provinces of Upper and Lower Canada were led to seek and should obtain Union as a solution of many constitutional, political and social difficulties unknown to New Brunswick, and to secure the more harmonious working of their political machinery, and the removal of long outstanding causes of disquietude and irritation, and at the same time attain, as indispensable, a passage to the sea and a maritime influence they could not achieve without the consolidation of the colonies under one constitution; so the Province of New Brunswick was led to consider the overtures of the older Provinces and to open the correspondence and appoint delegates, "in consideration" of the building of the Intercolonial Railway by the Dominion Government without unnecessary delay. This was substantially stated at the outset by the Hon. Mr. Tilley. He said:—

"Next, alluding to the Intercolonial Railway project, he said the feeling was—we won't have the Union unless you give us the railway. It was utterly impossible we could have either a political or commercial Union without it."—[Speech at Quebec, 15th October, 1866.]

And also by the Hon. Mr. Cartier, who said: "I must repeat to you what I stated while in the Lower Provinces, that while we possessed the personal and territorial elements which go to constitute a nation, we were wanting in the maritime element. During six months of the year we had to knock at the door of our neighbor in order to carry on our trade. This cannot be tolerated. This Confederation must be carried out. I know that every citizen of Montreal will understand that at this critical time we should look to Nova Scotia, to New Brunswick and to Prince Edward Island, for the elements wanting in Canada to make a great nation."—[Speech at Montreal, 29th October, 1866.]

So, likewise, the Hon. Mr. Brown said: "We have agreed—I announce it frankly—to build the Intercolonial Railway. I have not been in favor of the scheme *per se*, situated as we have been. But I have, at the same time, been quite willing to admit and I repeat it heartily to-day—that without the Intercolonial railroad there could be no Union of these Provinces."—[Speech at Toronto, November, 1866.]

At the Quebec Conference, 10th October, 1864, certain resolutions were adopted as the basis of a proposed confederation of the Provinces and Colonies of Canada, Nova Scotia, New Brunswick, Newfoundland and Prince Edward Island, and by resolution 68 it is provided—

"68. The General Government shall secure, without delay, the completion of the Intercolonial Railway from Rivière du Loup, through New Brunswick to Truro, in Nova Scotia."

Under date 27th February, 1865, His Excellency the Lieutenant-Governor of New Brunswick (Hon. Mr. Gordon), in his despatch to the Imperial Government, says:—

"I find, however, that a very general impression prevails that the construction of the Intercolonial Railroad from Rivière du Loup to Truro is to be provided for by a clause in the Imperial Act giving effect to the proposed Federal Union. I do not, myself, consider it probable that Her Majesty's Government will make such a suggestion to the Imperial Parliament, for I cannot but perceive that such a proposal would appear to Her Majesty's Government to be either unnecessary or unjust; unnecessary, if (as we must conclude will be the case should no unforeseen and insuperable obstacles arise) the new Federal Legislature votes the construction of a work, the immediate commencement of which forms one of the conditions of the agreement to which they owe their existence; unjust, if it were to have the effect of forcing on the people of British America the execution of a work which their representatives in Parliament may consider it inexpedient to undertake."

This view, however, of Governor Gordon, was not sustained, as will hereafter appear, and it was that Parliament should not have the power to declare it "inexpedient to undertake" the work, that New Brunswick determined to and did stipulate, that the arrangement for the execution of that undertaking should be made manifest for all time as "one of the conditions of the agreement" to which the Federal Constitution should owe its existence."

The undersigned, in passing, may here recall the fact that during the progress of the Conferences and the elections, great uneasiness on this very subject manifested itself in the Province of New Brunswick, and a general alarm was created because the Hon. Attorney-General Macdonald had intimated that, as a mere detail of Union, this stipulation would not be embodied in the Act (see Governor Gordon's despatch, February, 1865) and made a distinctive feature of the proposed constitution; but, on the other hand, would be subject to the caprice or chance vote of the Federal Legislature; and it was found necessary to assure the people of New Brunswick, from the press and the platform, that all cause of doubt and alarm would be removed, by adding to the proposed Imperial Act, "provision for the construction of the railroad." It would have materially endangered Confederation at the polls had this been otherwise.

Proceeding to the resolutions passed by the delegates at London, 24th December, 1866, we find the language on this subject remarkably changed, as by the 65th section:

"65. The construction of the Intercolonial Railroad being essential to the consolidation of the Union of British North America, and to the assent of the Maritime Provinces thereto, it is agreed that provision be made for its immediate construction by the General Government," &c.\*

The references to this subject during the Canadian Parliamentary debates on Confederation (3rd Sess. 8th Prov. Parl. Canada), and to the nature of the agreement entered into with the Maritime Provinces, are very clear and satisfactory. During the debate on the proceedings of the London delegation we find the following reported *inter alia* :—

"Attorney-General (now Sir John A.) Macdonald—\* \* \* In answer to the member for Carleton, the Government desired to say that they presented the scheme as a whole, and would exert all the influence they could bring to bear, in the way of argument, to induce the House to adopt the scheme without alteration, and for the simple reason that the scheme was not one framed by the Government of Canada, or by the Government of Nova Scotia, but was in the nature of a treaty settled between the different colonies, each clause of which had been fully discussed, and which had been agreed to by a system of mutual compromise. \* \* \* These resolutions on their face bore evidence of compromise; perhaps not one of the delegates from any of the Provinces would have propounded this scheme as a whole, but being impressed with the conviction that it was highly desirable, with a view to the maintenance of British power on this continent, that there should be confederation and a juncture of all the Provinces, the consideration of the details was entered upon in a spirit of compromise."

\*Proceedings of London Conference.



Again—"Attorney-General Macdonald could understand the object of the hon. member for Hochelaga. \* \* \* These resolutions were in the nature of a treaty, and if not adopted in their entirety the proceedings would have to be commenced *de novo*."

"Hon. Mr. Holton—\* \* \* Then the third question, of which he had given notice, had reference to the the Intercolonial Railway. It was a novelty that, perhaps, might not be found in the constitution of any country, to introduce a provision for the construction of a railroad, canals, turnpike roads, or other public works. But the novelty existed in this case, and we are told that a part of the proposed constitution was to build the Intercolonial Railway, as to the usefulness of which there had been a great difference of opinion amongst members of the House and in the country."

"Attorney-General Macdonald—\* \* \* As regards the Intercolonial Railroad, the resolutions showed precisely what was the intention of the Government in that matter. The railroad was not, as stated by Hon. Mr. Holton, a portion of the constitution, but was one of the conditions on which the Lower Provinces agreed to enter into a constitutional agreement with us."

"Hon. Mr. Currie—\* \* \* He was satisfied that if the Intercolonial Railway project were taken out of the scheme we would not hear much about it afterwards. Some leading men in Halifax had said the railway first and Confederation next."

"Hon. Mr. Sanborn.—Hon. Mr. Tilley had said that."

"Hon. Mr. Currie.—Then it would be better to try Confederation without the railway."

"Hon. Mr. Ross—\* \* \* The hon. member next came to the question of the Intercolonial Railway, which, after all, seems to be his great peculiar horror—the great pillar which overshadows and oppresses him. Well, I will turn again to Lord Durham's report, in which the following passages, remarkably apposite to the subject, appear:—'The completion of any satisfactory communication between Halifax and Quebec would, in fact, produce relations between these Provinces that would render a general union absolutely necessary. Several surveys proved that a railway would be perfectly practicable the whole way. \* \* \* The formation of a railway from Halifax to Quebec would entirely alter some of the distinguishing characteristics of the Canadas. Instead of being shut out from all direct intercourse with England during half the year, they would possess a far more certain and speedy communication throughout the winter than they now possess in summer.' This passage greatly impressed the public men of the day—the Lafontaine-Baldwin Administration—in which Mr. Hincks and the Hon. Premier each had a place. It was under them that the railway legislation of the Province received its first impulse, and last Session I remember to have had occasion to quote the preamble of an Act passed in 1851, which recites:—'That whereas, it is of the highest importance to the progress and welfare of this Province that a main trunk line of railway should be made throughout the length thereof, and form the eastern frontier thereof, through the Provinces of New Brunswick and Nova Scotia to the city and port of Halifax; and it is therefore expedient that every effort should be made to secure the construction of that railway.' \* \* \* Indeed, the railway is absolutely necessary, and we cannot do without it. Upper Canada alone, not to speak of Lower Canada at all, requires it, and so well is this understood in the Lower Provinces that an opponent of the Hon. Mr. Tilley—Hon. Mr. Smith—has lately said it was quite unnecessary for New Brunswick to spend any money on that work, as Upper Canada must build it for its own sake."

The undersigned deem it unnecessary to pursue further the examination of this important debate on this phase of the subject. The extracts they have the honor to submit are already more lengthy than they intended or desired; but they so fully cover the position the undersigned have assumed, and involve so many considerations as bearing upon the Dominion expenditures in New Brunswick, and answer the position so confidently asserted in the Nova Scotia correspondence, and which may again be brought forward as against New Brunswick, that at the risk of being tedious they have thus fully touched the subject. They may, however, sum up the whole argu-

ment with the very expressive words of the Imperial Act for authorizing the construction of a railway connecting Quebec and Halifax, to wit:—

“Whereas the construction of the railway would conduce to the welfare of Canada, and promote the interests of the British Empire.” \*

And the equally forcible provision of the British North America Act, confirmation of the whole position: †

“145. Inasmuch as the Provinces of Canada, Nova Scotia and New Brunswick have joined in a declaration that the construction of the Intercolonial Railway is essential to the consolidation of the Union of British North America, and to the benefit thereto of Nova Scotia and New Brunswick, and have consequently agreed that provision should be made for its immediate construction by the Government of Canada: Therefore, in order to give effect to that agreement, it shall be the duty of the Government and Parliament of Canada to provide for the commencement, within six months after Union, of a railway connecting the River St. Lawrence with the City of Halifax, in Nova Scotia, and for the construction thereof without intermission, and the completion thereof with all practicable speed.”

#### UNADJUSTED CLAIMS, &c.

Having, as they conceived it their duty to do, made these observations, the undersigned have the honor to submit certain statements for the consideration of His Excellency the Governor General in Council. They are compiled from the best authorities at their disposal, and in a spirit of fairness to New Brunswick and of justice to other portions of the Dominion. Nor have the undersigned, for obvious reasons, referred to the unadjusted claims between Canada and New Brunswick, or the pending financial questions between Ontario and Quebec, and the probable adjustment or assumption of them by the Dominion Government and Parliament. In the first—the matter of unadjusted claims—however it may be determined, cannot and should not alter the case submitted by the undersigned; and as they are in the nature of disputed claims and unadjusted balances between the respective Governments, and do not partake of the nature of better terms under the constitution, they would be transcending their duty and complicating their case by importing them into the present discussion, however just and equitable they may consider the stand taken therein by the Government of New Brunswick. In the second—the financial complications between Ontario and Quebec—whatever may arise on that subject hereafter it would be premature and conjectural to anticipate at this time. Having secured, as they hope to secure, reparation and justice for New Brunswick at the hands of the General Government and Parliament, it will be the right and duty of others carefully to watch events as the future shall develop them, and to guard the distinctive interests of the Province as the action of Government and Parliament may suggest.

#### THE ACTION OF THE LEGISLATURE OF NEW BRUNSWICK.

The resolutions of the Legislature of New Brunswick impose a three-fold duty on the undersigned:—

*First.*—It is claimed that in view of the fact that the original and solemn compact entered into with New Brunswick, as one of the contracting parties to the Act of Union, has been reopened, without the consent of her Legislature and people, and provisions made for Nova Scotia largely more advantageous to the people of that Province than were at all assented to or anticipated by New Brunswick; therefore New Brunswick has a right to ask an advance upon the terms originally granted to this Province to as full an extent as the increased subsidies and better terms granted to Nova Scotia are in excess of the terms and subsidies actually secured to Nova Scotia by the British North America Act, 1867.”—[Resolution of Assembly.]

*Second.*—That as the basis of agreement between British Columbia and Manitoba respectively and the Dominion, and the terms offered to the outlying British North

\* The Canada Railway Loan Act, 1876.

† B. N. A. Act, 1867, sec. 145.



American colonies, are so manifestly in advance of those secured to New Brunswick—financially, politically and constitutionally: in matters of trade, revenue, subsidies, great works, parliamentary representation and *per capita* allowance, and in full view of which, by the Dominion, better terms were ceded to Nova Scotia; the Province of New Brunswick has a further right to ask that the compromises she made at Quebec and London, and the injurious effects of which are now so seriously felt, and are so fully explained by the resolutions of the Legislative Council, be readjusted—that New Brunswick may not continue at so serious a disadvantage as compared with all the maritime colonies as well as the Provinces of old Canada.

*Third.*—That apart entirely from the consideration of the terms originally or subsequently made with Nova Scotia to induce her to share “in the work of the new constitution,” or to secure the admission into the Union of British Columbia and Manitoba, and the basis presented for the acceptance of the outlying colonies: New Brunswick has a right to claim that the Canadian Government and Parliament “relax or modify any arrangements which may prejudice the peculiar interests” of that Province. And as it is now ascertained that the terms granted to New Brunswick—even when supplemented by the large reserve fund then in hand—have proved utterly inadequate to the local wants and emergencies of the public service; that by no means at their disposal can the Government and Legislature provide for the development of the mineral and other resources committed to their care, or enter upon any scheme of emigration, or works of internal improvement;—that old services are languishing and new demands ignored, because of the scant subsidies and income to be devoted to them; that in a short time no less a sum than \$63,000 per annum will be absolutely taken away, and that even before the withdrawal of that amount direct taxation must be resorted to—and all under a constitution which promised ease and comfort—New Brunswick has a right to ask the Dominion to grant to her better terms, unless her case, as it was happily exceptional at the time of Union, shall continue exceptional under Union, and that to her serious loss and discomfort.

In opening the financial matters involved in the duty laid upon them, the undersigned desire to refer to the

#### CONTRIBUTION TO THE PUBLIC WORKS OF THE DOMINION MADE BY NEW BRUNSWICK.

Mr. Auditor-General Langton, in his elaborate report on Nova Scotia affairs, says:—

“The total debt with which we may enter into Confederation must be decided on very different principles, and the fairest, perhaps, may be the rate at which we contribute towards bearing its expenses;” and again, “I think, however, that Mr. McLellan is justified in saying that population alone is not a sufficient basis. As it is a question of debt to be assumed, the share which each contributes towards paying for that debt, if not made the whole basis, should at least have been taken into consideration.”—[N. S. Correspondence.] And the late Minister of Finance, Sir John Rose, on the same point, says:—“Adopting this view, and taking the average of three and a-half years anterior to Confederation, Nova Scotia would be entitled to \$3,031,000 more of debt than is allowed to her.”—[*Ibid.*]

Taking the principles thus laid down by the Hon. Minister of Finance and Mr. Langton as our criteria, we present the returns, as compiled below, showing the amounts contributed by New Brunswick, on account of her railways, to the public works of the Dominion of Canada. And it may be very justly stated here that this asset in the common “partnership” stock, handed over by New Brunswick at an enormous discount under the Union Act, is yearly becoming more and more and very remunerative, as the official returns will show; and it is quite reasonable to suppose that when the connections and extensions now constructing in and near New Brunswick are completed, and her general railway system, indicated by provincial legislation before Union, is perfected, this will rank among the most valuable—if it do not take precedence as proportionately the most valuable asset of the General Government. These returns will be found to exhibit, in 1870, a surplus over maintenance of \$58,841.30, representing a capital of \$980,688, at 6 per centum, and

high, estimating the cost at \$4,300,000, will yield  $1\frac{1}{2}$  per cent., whereas the public works of all classes which old Canada contributed to the general stock, estimated by Mr. Langton at \$46,667,401, only yielded interest at the rate of 0.82 per centum on their cost; while, for the same year, the railways of Nova Scotia, instead of providing a balance over maintenance, really cost the Dominion \$32,496.20 above receipts, which, at 6 per cent., again represents a capital of \$541,603. We may admit, for the sake of argument, that the percentage on capital is not the only important point, but the actual amount available for meeting the debt; but even in this view, while the Canadian-contributing assets will yield, when the collection of the Great Western interest is enforced, say  $15\frac{1}{2}$  cents *per capita* on the population, the New Brunswick contributing-assets will yield  $23\frac{1}{2}$  cents per head. Or we may illustrate the position in this way:—That whereas the asset we contributed as above reimburses the Dominion  $\frac{4}{5}$  of 1 per cent. of interest upon the debt of \$7,000,000 with which New Brunswick was permitted to enter the Union, the contributing assets of the older Provinces return only  $\frac{3}{5}$  of 1 per cent. of interest on \$62,500,000, their debt under the Act. Or, coming again to the public works of Nova Scotia, as New Brunswick contributes to the Dominion \$58,841, interest on \$980,688, during the same period, while Nova Scotia has shown a deficit of \$32,496.20, being interest on \$541,603, in order to place the two Provinces on the same footing in this account the Dominion would be required to refund to the Province of New Brunswick \$58,841, and pay over with that amount the sum of \$32,496 on this branch of the public service alone.

By way of stating this account more fully, then, the following items are submitted from the accounts of 1869:—

1869—Total public works of Canada, Dominion Auditor-General's report, part 1, page 26.. ..	\$913,491 08
Deduct—(as per same account)—gross earnings of N.B. and N.S. railroads.....	440,112 67
Balance.....	\$473,378 41
Deduct—Expenditure, as per account, page 233.....	305,304 59
	<u>\$168,073 82</u>

[Public Accounts, Dominion, 1869, page 243]

RAILWAYS—*Nova Scotia*—

(Page 26) Receipts.....	\$260,285 25
(Page 243) Maintenance.....	261,398 76
Deficit.....	<u>\$ 1,113 51</u>

RAILWAYS—*New Brunswick*—

Receipts.....	\$179,827 42
Maintenance.....	126,149 71

Surplus.....	\$ 53,677 71
Balance contributed by New Brunswick railways, receipts over maintenance.....	53,677 71
	<u>\$221,751 53</u>

Deduct—Deficit in Nova Scotia railways, receipts less than maintenance.....	1,113 51
Net balance from public works.....	<u>220,638 02</u>

—or, admitting that Nova Scotia exhibits a deficit, while New Brunswick contributes \$53,677.71, New Brunswick will be found to have paid in 1869 nearly one-fourth of the whole net balance of \$220,638.02.



Continuing the investigation into the accounts of 1870, we may pursue the same inquiry :—

Receipts from public works in the Dominion of Canada.....	\$1,006,844 67
Deduct—Nova Scotia railways.....	\$273,028 56
New Brunswick railways .....	198,525 29
	<u>471,553 85</u>
Receipts which old Canada transferred to Dominion	\$535,290 82
Against this sum is charged an expenditure of.....	<u>366,421 82</u>
Leaving a balance of net receipts .....	\$168,869 00
Balance contributed by New Brunswick railways, receipts over maintenance .....	58,841 30
	<u>\$227,710 30</u>
Deduct—Deficits of Nova Scotia, receipts less than maintenance.....	32,496 20
Net balance derived from public works....	<u>\$195,214 10</u>

These figures again show a deficiency in the Nova Scotia accounts, while New Brunswick contributes to the Dominion \$58,841.30 of the net balance of \$195,214 10.

As elucidating the foregoing, we may add the following figures :—

RAILWAYS—*Nova Scotia*—

(Page 19)	Receipts.....	\$273,028 56
	Maintenance.....	305,524 76
	Deficit .....	<u>\$ 32,496 20</u>

RAILWAYS—*New Brunswick*—

(Page 19)	Receipts.....	\$198,525 29
	Maintenance .....	139,683 99
	Surplus.....	<u>\$ 58,841 30</u>

NEW BRUNSWICK RAILWAYS.

The net earnings of the European and North American Railway over maintenance, in the year 1870, was \$58,841.30, which, at 6 per cent., represents a capital of \$980,688.

NOVA SCOTIA RAILWAYS.

The Nova Scotia railways, instead of leaving a balance over maintenance, cost the Dominion, in 1870, \$32,496.20 over receipts, which, at 6 per cent., represents a capital of \$541,603.

The comparative account is as follows :—

*New Brunswick*—

Railway profit to the Dominion...\$58,841 30    Capital...\$980,688 00

*Nova Scotia*—

Railway loss to the Dominion...\$32,496 20    Capital...\$541,603 00

New Brunswick, to be placed on the same footing  
as Nova Scotia, is entitled to.....\$1,522,291 00

The undersigned are not unmindful of the fact that the late Hon. Minister of Finance has avoided giving full scope to this enquiry, or full credit to its legitimate results, fearing, as he acknowledges, that such investigation would lead to "embarrassing comparisons." \* At the same time, however, he does not refuse to admit that "the undoubted facts to which reference has been made give a fair claim to consideration." The Auditor-General, Mr. Langton, incidentally referring to the same subject, says :—

"It will no doubt be argued that trade by the Nova Scotian railways has not yet been fully developed, and that the net receipts from them will increase. This is no doubt true, but if they were doubled we should still only be on a par with them, and our public works may, and no doubt will, become more remunerative. We may also look to some further returns from our advances to railroads. If we may consider the arrears of interest due to us from the Grand Trunk and Northern, practically abandoned, and so cease to enter it up annually against them in the ledger, yet upon any material improvements in railway prospects, our claims for current interest would revive. Under this head, then, I think we are fully upon a par with Nova Scotia. We have made improvements fully equal to theirs, and as yet, at any rate, they yield a greater revenue per head."

This being the case, the undersigned may, it is contended, justly assert that neither old Canada nor Nova Scotia is "under this head fully on a par with" New Brunswick; and they would be unmindful of their duty if they failed to institute those "comparisons," and to state their entire willingness to enter into the most minute investigation of all the assets contributed by the respective Provinces, and the nature and remunerative value of them; not, let them add, for the mere sake of ensuring any embarrassments, but only that the justice and equity of their claims may be most rigidly examined and fully understood.

Following, as near as may be, the line adopted in the foregoing statements and accounts, the undersigned desire to submit a

STATEMENT showing the amounts collected in New Brunswick in the year 1870, under the present Dominion tariff, from Customs, Excise and bill stamps, and income from local provincial sources, and which New Brunswick would have at its disposal out of Union :—

Dominion Public Accounts, 1870, pp. 23, 26	$\left\{ \begin{array}{l} \text{Customs duties...} \\ \text{Excise duties, less} \\ \text{expense of col-} \\ \text{lecting .....} \end{array} \right.$	\$1,015,111 76
		149,327 79
Report, Inland Revenue, p. 36, Bill Stamps.....		9,664 61
		<u>\$1,174,099 16</u>

#### Local Revenue—

Export duty . . . . .	\$65,000 00
Casual revenue . . . . .	40,000 00
Supreme Court fees . . . . .	2,000 00
Fees, secretary's office . . . . .	5,500 00
Auction duty . . . . .	100 00
Net earnings, E. & N. A. Railway . . . . .	58,841 30
	<u>\$171,441 30</u>

\$1,345,540 46

DEDUCT—Amount to be paid, as per subjoined statement, by the Province for public service . . . 1,008,984 48

Balance at disposal of New Brunswick . . . \$336,555 98

As explanatory to the item of local public service, amounting to \$1,008,984.48, reference is made to the following

STATEMENT showing the amount the Province of New Brunswick would be required to provide for the undermentioned services out of Union :—

\* Vide letter, January 24, 1869.



Interest on debt—\$7,500,000 . . . . .	\$450,000 00
Civil list . . . . .	40,000 00
Legislative expenses . . . . .	35,000 00
Judicial . . . . .	20,400 00
Protection and collection revenue . . . . .	42,000 00
Post office . . . . .	20,000 00
Agriculture . . . . .	12,600 00
Education . . . . .	120,000 00
Lunatic asylum . . . . .	25,000 00
Public health . . . . .	6,000 00
Indians . . . . .	1,200 00
Steamboat inspection . . . . .	1,000 00
Elections . . . . .	1,500 00
Militia . . . . .	20,000 00
University . . . . .	8,884 48
Immigration . . . . .	1,000 00
Public printing . . . . .	9,000 00
Contingencies, postages, &c. . . . .	12,000 00
Great roads . . . . .	85,000 00
Bye roads . . . . .	65,000 00
Public buildings, furniture, &c. . . . .	9,000 00
Steam navigation . . . . .	9,000 00
Surveys and general inspection . . . . .	4,000 00
Marriage certificates . . . . .	800 00
Public hospital, St. John . . . . .	1,200 00
Carleton Branch Railway (interest) . . . . .	900 00
Penitentiary . . . . .	8,500 00
<b>Total . . . . .</b>	<b>\$1,008,984 48</b>

It is clear, therefore, that had the Province of New Brunswick refused to accept the scheme of Union, and had raised her tariff to that now levied under the legislation of the Dominion Parliament, she could have effectually provided for all her public services quite efficiently, in the manner and in the items set forth, and covering all the amounts the Province would have been required to provide for, and had at her disposal, for extraordinary services, unforeseen claims, the development of her resources, and general purposes under her then constitution, the full sum of \$336,555.98.

It may be well also to show the amount collected in the Province of New Brunswick in 1866, under her then provincial tariff, and apply it in like manner to the requirements of the Province:—

STATEMENT showing the Revenue of the Province of New Brunswick in 1866:—

Import duties . . . . .	\$852,693 63
Export duties . . . . .	65,485 07
Seizures . . . . .	539 67
Auction duty . . . . .	19 33
Railway impost . . . . .	184,217 07
Net earnings of E. & N. A. Railway . . . . .	51,760 46
Lighthouse duties . . . . .	25,408 85
Sick and distressed seamen . . . . .	8,517 21
Buoy and beacon . . . . .	3,921 64
Cape Race light . . . . .	387 61
Copyright duties . . . . .	98 80
Indian reserve fund . . . . .	368 87
Supreme Court fees . . . . .	3,021 00

Sums refunded . . . . .	841 29
Casual revenue . . . . .	47,504 42
Fishery fund . . . . .	330 75
Total in 1866 . . . . .	\$1,245,115 67
Services to be provided for, as per preceding table .	1,008,984 48
Balance at disposal of New Brunswick .	\$236,131 19

Assuming the population to have increased in five years from 1866,  $7\frac{1}{2}$  per cent., the number would be 270,950, and the rate per head would be \$3.82 collected under the head of import duties and railway imposts, as against \$4.11 on the population of 1861; and again, assuming the same rate of increase for the next succeeding five years, the population in 1870 would be 289,853, which, at \$3.82 *per capita*, would yield from the same sources \$1,107,238.46. To this we add the

# LOCAL REVENUE.

[Imports and railway duties, above] . . . . .	\$1,107,238 46
ADD—Export duty. . . . .	63,135 65
Seizures (as in 1866) . . . . .	539 67
Auction duty . . . . .	45 09
Net earnings, railway . . . . .	58,841 30
Lighthouse duties (1866). . . . .	25,408 85
Sick and disabled seamen . . . . .	8,517 21
Buoy and beacon . . . . .	3,921 64
Cape Race light . . . . .	387 61
Copyright duties . . . . .	98 80
Indian reserve fund . . . . .	368 87
Supreme Court fees . . . . .	2,100 00
Sums refunded . . . . .	841 29
Casual revenue. . . . .	35,983 23
Fishery fund. . . . .	330 75
Fees, secretary's office . . . . .	5,465 15
Lunatic asylum, 33rd Vic., cap. 25 . . . . .	380 00
	<u>\$1,313,603 57</u>

STATEMENT showing the estimated expenditure of the Province in case Union had not taken place, in 1870, as shown by the Dominion and Provincial Accounts of the year :—

Interest on debt . . . . .	\$450,000 00
Civil list . . . . .	40,000 00
Legislative expenses . . . . .	40,000 00
Judicial . . . . .	20,400 00
Protection and collection revenue . . . . .	42,000 00
Post office . . . . .	20,000 00
Agriculture. . . . .	12,600 00
Education . . . . .	120,000 00
Lunatic asylum . . . . .	25,000 00
Public health . . . . .	6,000 00
Indians . . . . .	1,200 00
Steamboat inspection . . . . .	1,000 00
Elections . . . . .	1,500 00
Militia . . . . .	20,000 00
University . . . . .	8,884 48
Immigration . . . . .	1,000 00



Public printing . . . . .	9,000 00
Contingencies, postages, &c. . . . .	12,000 00
Great roads. . . . .	85,000 00
Bye roads . . . . .	65,000 00
Public buildings, furniture, &c. . . . .	9,000 00
Steam navigation . . . . .	9,000 00
Surveys and general inspections. . . . .	4,000 00
Marriage certificates . . . . .	800 00
Public hospital, St. John . . . . .	1,200 00
Interest, Carleton Branch Railroad. . . . .	900 00
Penitentiary . . . . .	8,500 00
Lighthouses . . . . .	15,262 53
Sick and disabled seamen and marine hospital . . . . .	7,290 71
Buoys and beacons . . . . .	3,201 35
Cape Race light . . . . .	419 69
Fisheries . . . . .	2,787 50
Copyright duties. . . . .	134 44
Pensions . . . . .	160 00
Unforeseen expenses . . . . .	10,000 00
	<hr/>
	\$1,053,240 70
	<hr/>

Consequently the Province would have had the sum of \$1,313,603.57 to meet an expenditure of \$1,053,240.70, leaving a balance of \$260,362.87 in the public treasury! This balance would be increased by the imposts on the excess of imports in 1870 above the imports of 1866, which would be no inconsiderable sum.

The undersigned will now take the liberty to direct attention to the following tables, showing the amount paid by the Dominion of Canada for or on account of New Brunswick, and the amount received into the general treasury by the Dominion from that Province. And it was in view of this department that the undersigned felt it their duty so fully to meet the matter of expenditure by the Dominion in New Brunswick in the construction of the Intercolonial Railway. It may be found, also, that certain charges are omitted, which, however, if admitted, will not materially affect the result; while there are items concerning which the undersigned desire to be fully heard before it is conceded to be just to embrace them in the calculations.

I.—STATEMENT showing amount paid by the Dominion of Canada for New Brunswick.

[ *Vide* Public Accounts, 1870.]

Subsidy . . . . .	\$314,637 60
Interest on debt . . . . .	450,000 00
Salary, Lieutenant Governor . . . . .	7,000 00
Administration of justice, I. page 102 . . . . .	28,129 38
Lighthouse and coast service, I. " 209 . . . . .	39,041 05
Collection and protection of revenue, I. " 261 . . . . .	75,168 47
Fisheries, I. " 218 . . . . .	9,622 63
Militia, I. " 148 . . . . .	24,595 58
Provincial penitentiary . . . . .	8,500 00
Post office (Postmaster-General's account, page 306) . . . . .	37,906 59
Mariner's fund (Public Accounts, I, page 117) . . . . .	8,244 50
New Brunswick's proportion of expenses of Governm't . . . . .	86,000 00
	<hr/>
	\$1,088,845 80
	<hr/>

II.—STATEMENT showing Amount Dominion receives from the Province of New Brunswick. [*Vide* Public Accounts, 1870.]

Customs duties, I, page 23 . . . . .	\$1,015,111 76
Bill stamps . . . . .	9,664 61
Spirits, malt liquors, malt, tobacco, &c. . . . .	149,322 79
Bank tax . . . . .	4,316 12
Net earnings E. and N.A. Railway . . . . .	58,841 30
Fisheries, I, page 45 . . . . .	1,086 42
Mariners' fund, I, " 43 . . . . .	7,553 54
	<hr/>
	\$1,245,896 54

Hence it would appear that while New Brunswick received, in 1870, from the Dominion, \$1,088,845.80, she actually paid into the treasury during the same year \$1,245,896 54, and the Dominion was really the gainer to the extent of \$157,050.74. Indeed, in general language, it may be confidently asserted, as it is universally believed in New Brunswick, that—apart from all collateral considerations arising out of the geographical position and maritime character of the Province—New Brunswick, in a monetary point of view, has proved herself to be a valuable constituent of the "partnership" of 1867.

PUBLIC DEBT.

Referring to the better terms granted to Nova Scotia, the undersigned direct attention to another item in the re-adjustment. By the British North America Act, it is provided:—

"New Brunswick shall be liable to Canada for the amount, if any, by which its public debt exceeds, at the Union, \$7,000,000, and shall be charged with interest at the rate of 5 per centum per annum thereon.

"New Brunswick shall receive by half-yearly payments in advance from Canada for a period of ten years, an additional allowance of \$63,000 per annum; but as long as the public debt of that Province remains under \$7,000,000, a reduction equal to the interest at 5 per centum per annum on such deficiency shall be made from that allowance of \$63,000."—[British North America Act, secs. 115, 119.]

Now, under the arrangement made at the London Conference, the Dominion Government did not allow to New Brunswick the interest on the \$7,000,000 of debt until that amount had actually been reached. But by the terms of the re-adjustment with Nova Scotia the Dominion Government granted and have paid Nova Scotia the interest on the balance of their debt from 1st July, 1867, the time the Union took place. The undersigned claim that had New Brunswick received the same consideration, and received interest on the balance, she would be entitled to \$54,240.71, at 5 per cent., the rate contemplated by the British North America Act; or, at 6 per cent., as paid to Nova Scotia, \$65,008.85. The terms of the Act, as applied to New Brunswick, and the terms of the re-adjustment, on the same subject, as applied to Nova Scotia, are singularly dissimilar; and the effect of it is, that New Brunswick does not receive the same liberal consideration as the sister Province receives—and that to the extent of \$65,000 and upwards.\*

SAVINGS BANK ACCOUNT.

Proceeding to the accounts current for 1869 between Nova Scotia and the Dominion, and between New Brunswick and the Dominion, a marked difference is observable under this head. In the Nova Scotia account current (Public Accounts III, page 16,) Nova Scotia is charged with savings bank deposits after deducting 10 per cent. In the Nova Scotia correspondence (report of Hon. Finance Minister) we find the following:—"The points advanced touching the special character of these items (provincial note circulation and savings bank deposits), composing part of the

\* See also "An Act respecting Nova Scotia," Dominion Statutes, 33 Vic., chap. 2.



debt of Nova Scotia, and as entitling her to be relieved from any charge of interest in respect of them, merit fair consideration. \* \* \* Then as regards the savings bank deposits, amounting to \$657,610.40, it was urged that they bear only 4 per cent., and that a considerable percentage of the gross deposits would never be demanded; that, therefore, the Dominion ought not to charge more interest than it paid, and should absolutely reduce the capital of these two items of the provincial debt. The undersigned (continues the Finance Minister) cannot wholly acquiesce in the view of the case as urged by Nova Scotia, but after a careful examination into the state of these accounts he believes that a moderate percentage, not exceeding 10 per cent. of each, may, with propriety, be placed to a suspense account; that on this percentage no interest should be charged until the Dominion is called on for it by the holders or depositors.

The undersigned are unable to discover any subsequent reference to this item in the correspondence, and the result of the negotiations, so far as it is given to the public, is as stated by the Auditor-General: "That Nova Scotia would be entitled to enter the Union with a debt of \$9,183,756, and to be relieved from any charge of interest, unless that debt exceeded that sum; and that she would receive, for ten years, from the 1st July, 1867, a subsidy of \$82,693 annually." But when we turn to the Public Accounts of 1869, we discover that the allowance of 10 per cent. is also absolutely made. The undersigned can conceive no reason why the same consideration should not be given to the case of New Brunswick, relative to her savings bank account, whereas, on the contrary, the account is made up against this Province without any such deduction. Thus:—

## SAVINGS BANK, NOVA SCOTIA.

1869. Savings bank deposits (Public Accounts III, page 16).....	\$644,687 02
Less 10 per cent. (Ibid).....	64,468 70
	<u>\$580,218 32</u>

## SAVINGS BANK, NEW BRUNSWICK.

Savings bank deposits (Public Accounts, page 18).....	\$777,359 85
If from this we deduct 10 per cent.....	77,735 98
We have.....	<u>\$699,623 87</u>

It is therefore claimed that New Brunswick should receive credit for \$77,735.98 on this account, for the same reason that a like credit has already been absolutely given to Nova Scotia. The recommendation of the Hon. Minister of Finance, that the item be placed in a suspense account, may or may not have been accepted, but in the meantime Nova Scotia receives the full advantage of an absolute credit of that amount, while it is probable the contingency contemplated by the late Minister will not soon, if it shall ever, arise.

STATEMENT showing amounts of import duties collected in the different Provinces, and the amount per head of the populations by Census, 1861.

Province.	Duties.	Population.	Per Head.
Canada .....	\$7,262,987	2,507,657	\$2 90
Nova Scotia.....	1,133,344	330,857	3 43
New Brunswick.....	1,015,111	252,047	4 03

The data for this table are taken from the Public Accounts of Canada for the year ending 30th June, 1870.

### A COMPARATIVE STATEMENT of amounts paid for the Provinces of Nova Scotia and New Brunswick.

	Nova Scotia.	New Brunswick.
Subsidy and additional grants.....	\$407,383 60	\$314,637 60
Lieutenant-Governor .....	7,000 00	7,000 00
Administration of justice, 1870.....	21,915 00	28,129 00
Lighthouse and coast service.....	62,650 00	39,041 00
Collection and protection of revenue	122,040 00	75,168 00
Interest on debt .....	551,205 36	420,000 00
Totals .....	\$1,172,193 96	\$883,975 60
Imports.....	\$1,133,344 00	\$1,015,111 00
Paid by Dominion Government.....	1,172,193 96	883,975 60
Surplus .....		\$131,135 40
Deficit .....	\$38,849 96	

### A COMPARATIVE STATEMENT of Railway Earnings and Expenditures, Nova Scotia and New Brunswick. (*Vide Public Accounts Ottawa, 1870, page 62, part II.*)

	Nova Scotia.	New Brunswick.
Receipts.....	\$273,028 56	\$198,525 29
Expenditures .....	305,524 76	139,683 99
Surplus .....		\$58,841 30
Deficit .....	\$32,496 20	
Capital or gross outlay .....	\$6,706,984 00	\$4,703,385 16
Surplus equal to .....		1½ per cent.
Deficit equal to 6 per cent. interest on.	561,603 00	

#### THE PER CAPITA SUBSIDY.

The *per capita* subsidy to the different Provinces has occupied the attention of the undersigned, and they complain that the amount will be unjust and unfair to the Province of New Brunswick as soon as its population exceeds 400,000. By the British North America Act (B. N. A. Act, sec. 118) Ontario now receives, and will continue to receive for all time to come, 80 cents per head on a population of 1,396,091, as ascertained by the census of 1861, amounting to \$1,116,872.80, while Quebec receives, and in like manner will continue to receive, 80 cents *per capita* on a population of 1,111,566, amounting to \$899,252.80. New Brunswick is now only entitled to receive the subsidy on a population of 252,047, amounting to \$201,637.60, and according to the present arrangements never can receive more than \$320,000, being 80 cents on 400,000, no matter to what extent its population may increase. This, at least in a prospective point of view, is a manifestly incorrect arrangement and should, it is submitted, receive the attention of the Government and Parliament of the Dominion. Why should the Province they have the honor to represent not be placed in the same position as Ontario or Quebec? If New Brunswick exceeds the population of 400,000, why should she not have the allowance of 80 cents per head on that increase, or at least up to the same population as Quebec or Ontario?

#### LEGISLATIVE GRANT.

By the British North America Act (B. N. A. Act, sec. 118), it is provided that a grant shall be made yearly by Canada to the several Provinces, for the support of their Government and Legislature:—



Ontario.....	\$80,000
Quebec.....	70,000
Nova Scotia.....	60,000
New Brunswick.....	50,000

The undersigned submit that at least there is no good reason why this annual grant to Nova Scotia should exceed that to New Brunswick, to the extent of \$10,000. Whatever the increase of population may appear to have been during the last decade, that of New Brunswick may reasonably be expected to increase more rapidly than that of Nova Scotia in the future. But, separate from this argument her population, the discrimination against New Brunswick seems, as it is, unfair and will ere long become even more manifestly so. The cost of governing and legislating for the Provinces locally cannot, and should not be, so dissimilar, and so recognized by a constitution intended to be perpetual. "In fact, it has been abundantly shown," said the Hon. Dr. Tupper, "that the difficulty" (and *a fortiori* the cost "of working the British constitution system, is in an inverse ratio to the size of the colony to which it has been applied." [Letter to the Earl of Carnarvon, October, 1866.]

#### DISTRIBUTION OF DOMINION PATRONAGE.

The undersigned—even at the risk of being thought "beyond the record," on the subject of better terms—cannot avoid observing that it has been a matter of just and serious complaint in New Brunswick that the expenses of the public service in the different Departments is much larger in each of the other Provinces than in New Brunswick; and that in the distribution of honors and emoluments in the Civil Service of the Dominion the people of New Brunswick have been largely overlooked. A list of the officials of the Dominion, their number, salaries, and place of birth or residence, would reveal a state of things anything but complimentary to the inhabitants of the Maritime Provinces. While they desire no unnecessary increase of offices, and of the public burdens, the undersigned do claim as a right, that in appointments to office, and in the distribution of honors, New Brunswick receive that full consideration due to a Province which contributes so largely to the exchequer, and to the effective government of the country.

#### REQUIREMENTS OF THE PUBLIC SERVICE IN NEW BRUNSWICK UNPROVIDED FOR.

Among other things, it must be clearly apparent from the preceding observations, that under the Confederation—it may be said, in consequence of Confederation—the public finances of the Province of New Brunswick at the present time, are in a very unhealthy state; that the local services are only provided for by the exercise of great economy; and that even to maintain the expenditure to its present frugal standard a resort to direct taxation must be had. But after all, we have yet to consider the pressing requirements of the Province—indeed, emergencies of the service, yet wholly unprovided for, simply for the mortifying reason that there are now no balances or funds upon which a call can be made. It will be expected, perhaps, that a statement of these be submitted at this time. Obviously, such a statement cannot be made up complete or full, or particular as to details. In endeavoring to estimate the nature and expenses of such services it is to be remembered that the probable progress of the Province, and other like data, will from time to time present exigencies now wholly unforeseen; and for this reason, if for no other, a Province should always be in possession of a surplus fund or reserved balances in its exchequer. As the constitution, subject, nevertheless, to the action of Parliament, may be said to be "not for a day but for all time," no man can be expected to exhaust this enquiry. But there are important claims already fully staring the country in the face, and for which there is no provision or power to meet. To only a few of these the undersigned desire your consideration.

1. *A Local Penitentiary.*—The undersigned have already dwelt lengthily on this subject. It is yet confidently hoped that Parliament may be induced to reconsider their severe action on this subject. But if this is not to be expected, it will become

he imperative duty of the Local Government to submit immediately to the Provincial Legislature a measure to provide for the erection and equipment—the establishment, maintenance and management—of a penitentiary in and for the Province of New Brunswick. It is not difficult to foresee the temper in which the Legislature will receive such a measure. Referring to the proceedings of the delegation from the city and county of St. John, it is found that in the year 1839 the cost is estimated as follows:—

Lands.....	£450	0	0
Building.....	7,000	0	0
Keeper's house.....	430	0	0
Iron doors, &c.....	200	0	0
Fences, &c.....	420	0	0
	<hr/>		
	£8,500	0	0

To this amount it is correct to add the large expenditure from time to time made in the improvement of the lands and buildings, in the equipment of the establishment, the introduction of and improvements upon the machinery, &c., &c. There were also improvements made by convict labor which do not appear on the face of the accounts. The cost of land, erections, labor, maintenance, &c., has all very much increased, and it would be quite impossible, in 1871, to purchase a site, and construct and fit up an institution and carry on its operations under the expenditure of 1839. The undersigned are of opinion that the following is the minimum estimate at the present time:—

Lands, buildings, machinery, &c. (consequent upon the Act of the Dominion Parliament, 33rd Vic., chap. 30), for a provincial penitentiary, \$100,000, interest.....	\$ 6,000	00
Cost per annum for maintenance.....	8,500	00
	<hr/>	
Annual charge to New Brunswick.....	\$14,500	00

2. *Great Roads, Bye Roads, Bridges, &c.*—The undersigned venture to suggest that many of the services which devolve upon the New Brunswick Government are of a peculiar character, and are scarcely duly appreciated by others. As an illustration of this fact, the road service is a severe strain upon the finances of the country; and the practical effect, in a sparsely settled Province, of railway extension, and of opening new settlements, is to cast new burdens upon this branch of the service. There are already 2,331 miles of great roads (See Sessional Papers of Canada, 1869, Vol. 2, No. 3, Paper 8, Appendix 23), which are annually increased by the necessary transfer of bye roads to the great road establishment; and on these great roads alone the total length of bridges is computed at twenty-five miles, the latter yearly involving an expenditure of \$38,000. The annual grant for the repair and maintenance of bye roads is \$65,000. It must be remembered, also, that a large amount is contributed by statute labor, and it is proper to observe that this work has been and is continued under Confederation precisely in the same manner as before the Union took place. But, notwithstanding this expenditure of money and labor, the road service is but very inefficiently provided for, and large and urgent demands lie unnoticed or unaccepted because there is no more money at the disposal of the Government. A striking illustration of this may be adduced in the case of the "Great Marsh Road"—the principal thoroughfare entering the city of St. John, the commercial emporium of the Province, and over which a large amount of travel and traffic continually passes. To such a state has this great thoroughfare come at last, and the Government is so utterly without the power to appropriate at once and *en bloc* the sum required—(say \$5,000 or \$6,000)—to place it in complete and proper repair, that portions of the city press and people have been driven to advocate the erection of toll gates upon it; a novel resort, which would be very distasteful, and which very many could not be



found to justify, even by the emergencies of the case; nor would the adoption of such a plan, in view of the flourishing state of the finances of other Provinces of the Dominion, commend the present constitution to the respect and support of the toll payers! Nor is this an isolated case—it is only a very suggestive one. By a reasonable estimate \$50,000 more per annum are required to be judiciously and economically expended on roads and bridges! But where is it to come from, if the Local Government has no means at its disposal?

3. *Emigration.*—The importance of a wise and judicious scheme for the introduction of settlers into the Dominion cannot be over-estimated. And no part of Canada presents more advantages and inducements, all things being considered, than New Brunswick. This subject has recently attracted more than ordinary attention here, and it is conceded on all sides that action must be taken if progress is to be made. The press and the people and the Legislature expect this. The teeming populations of the old countries turn their eyes in doubt and expectation to this continent; New Brunswick is ripe with many inducements to the industrious immigrant; the streaming exodus from the old world actually flows past our very doors to the American Republic, and the hand of the Local Government is helpless from lack of means. Wholly unable to contribute a sufficient sum for this service, we content ourselves with hearing of the influx of settlers into less favored localities in our very neighborhood, or in reading the eloquent resolutions of emigration conferences. New Brunswick will never be able to do her full share of duty to the Dominion and justice to herself, in the cause of emigration, with her present financial arrangements under the constitution.

4. *Education.*—Similar remarks will hold good on this subject. The Legislature has already enacted a school law, which, casting direct taxation upon the people, will also entail burdens upon the Government. The full nature and extent of these it is impossible to estimate or anticipate. It is enough to say that emigration and education can be but meagrely cared for out of the income at the disposal of the Government of the Province.

5. *The University* loudly calls for the expenditure of provincial money, that its powers of usefulness may be enhanced, and the circle of its instruction enlarged. Indeed, notwithstanding the amounts contributed by the Legislature, the returns are not such as satisfy the reasonable expectations of the people. Money is required for the enlargement and improvement of the buildings and grounds—for the improvement of old and importation of new scientific apparatus, and for other necessary expenses. And when it is remembered that the Legislature has taken new and heavy burdens upon itself for common school purposes, its sincerity in the cause of education cannot be doubted. Indeed, the undersigned believe they only anticipate what may indeed already be public opinion when they declare that if the means were at the disposal of the Government they would advocate an inclusion of the university in the free school system of the Province; that every youth of the Province should be able to command a thorough education, in all its branches, from the primary departments and common schools up to the free university of the Province. Further efforts, however, in the enlightened cause of popular education, cannot be made unless some more healthy state of public finances can be induced.

At the last Session of the Legislature application was made to the Government by the president of the St. John Mechanics' Institute, and also by one of the members of the directorate—both of them members of the House of Assembly—for a small grant in aid of the technological school, or school of design, in connection with the St. John Mechanics' Institute. The members of the Government were not slow to acknowledge the importance of the institution, nor to declare their desire to aid it, particularly at the time when this department is struggling in its infancy; but to the application was returned the stereotyped reply, "no funds," and it will remain to be seen whether this "school," so important to the mechanics, and so interesting to all, in New Brunswick, must fail for lack of means. It is indeed hard if this should be the case, at a time when it is publicly announced that the Ontario Government, out of its large revenues, is about to establish a technological school in the city of Toronto.

6. *Mining*.—The extent, value and richness of the mining resources of New Brunswick are only partially known, and that by mere estimate, even to the people of the Province themselves. But the limited geological explorations of the Province which have been made fully justify them in the conclusion that New Brunswick is rich in extensive and varied mineral deposits. But this is of little practical moment, if they are to lie for ever buried in the earth. There can be no question that a proper expenditure of money in this important work would not only largely benefit the local interests of the Province, but also advance the material services of the Dominion. And it is indeed necessary for the people of New Brunswick very seriously to examine every probable industry, and struggle to enhance it, since they have discovered that their invaluable fisheries, which have long been a source of employment and subsistence to a very large class, and of revenue and prosperity to the Province—and which they had hoped and believed were secured to them and their children for ever—are in imminent jeopardy, as a sacrifice to the Empire's emergencies!

7. *The Province Buildings*. 8. *The Lunatic Asylum*.

The undersigned forbear to enlarge on this branch of their enquiry.

#### MANITOBA AND BRITISH COLUMBIA.

By the terms of the resolutions passed by the Legislature of New Brunswick, it will be observed that pointed reference is made to the financial arrangements concluded with, and the constitutional advantages granted to, Manitoba and British Columbia, and proposed to the outlying colonies.

These involve many very important political questions, including that of representation in Parliament.

This is indeed a very serious article of the constitution affecting the Province of New Brunswick, and considered in the light of the terms ceded to Manitoba and British Columbia, calls loudly for reconsideration, if a full measure of justice *pro rata* is to be meted out to us.

The discussion of the financial basis of Union with British Columbia and Manitoba opens a very wide field, and will require many calculations, estimates and comparisons, lengthy and tedious. While, therefore, claiming the right, pursuant to the provisions of their appointment, to import all the constitutional and financial arguments legitimately accruing therefrom, into their case, the undersigned submit they have already demonstrated the right of New Brunswick to better terms, and the great injustice which must ensue if they are not granted. If, however, their case does not now appear to others as clear and tangible as it does to them, and it is deemed necessary to fortify their position by a consideration of the separate cases of Manitoba, British Columbia, Newfoundland and Prince Edward Island, they are at once ready and anxious, at any expenditure of time, labor and convenience, to proceed in detail into that phase and department of the enquiry.

There are probably other branches of the discussion which may have been overlooked, or are not here presented. For the present the undersigned rest their case as it is made to appear in the preceding remarks. They ask that they may be heard upon it, when the convenience of the Dominion Government will permit.

#### CONCLUSION.

The people of New Brunswick, speaking by the united voices of both branches of the Legislature at its first Session after the local general election, have instructed the Local Government to press for better terms by every constitutional means.

Commissioned by that Government, the undersigned have thus far endeavored to present some of the grounds on which the claim is based. They have brought to the discharge of their very onerous and responsible duty at least a desire only to claim justice from the Dominion. They humbly submit that Ontario has attained under Confederation a revenue unequalled by that of any previous year in her history, and is accumulating millions of dollars for local development and internal improvement; that Quebec is yearly and substantially harvesting the ripe fruits of the general Union; that Nova Scotia has received terms far in advance of and more



advantageous than those conceded to her by the Act of Union, and accepted by her Legislature when the compact was sealed; that Manitoba has secured a local constitution and Government proportionately less burdensome and more remunerative than New Brunswick has received; that Newfoundland and Prince Edward Island will occupy a similar state with Manitoba in this respect, or have none of the agreement; while the covenant entered into with British Columbia, financially and constitutionally, is such as the most sanguine New Brunswicker could ever have expected or demanded for his Province. New Brunswick stands conspicuously and severely alone. Whatever of commercial ease and prosperity she enjoys is despite her financial bargain of 1867. Nevertheless, as an important and valuable portion of the united Provinces, the people of New Brunswick respectfully but most firmly demand that the political prosperity, comfort and development of their Province shall be equally matters of solicitude to the Government and Parliament of the Dominion, as tending more surely to secure the successful operation of the compact, and at the same time to "protect the diversified interests of the several Provinces, and secure efficiency, harmony and permanency in the working of the Union."—[Quebec Conference, section 2.]

Therefore, that these great purposes may be accomplished; that the people of New Brunswick, who held at the time the key of Confederation in their own hands, may command their just rank in the Dominion; that they may not discover that the frankness and freedom with which they accepted Union have really proved fatal to them; and that the constitution may vouchsafe to all that even-handed justice without which no system of Government can be stable or satisfactory, and at once the pride and protection of the governed, the undersigned, on behalf of the people, the Legislature and the Government of New Brunswick, respectfully submit their appeal.

We have the honor to be, Sir, your obedient servants,

GEORGE L. HATHEWAY,  
BENJ. R. STEVENSON,  
WM. WEDDERBURN.

Hon. JOSEPH HOWE, Secretary of State for the Provinces, &c., &c.,  
Ottawa, Canada.

\*To that letter, the undersigned received the following reply:—

OTTAWA, 9th October, 1871.

GENTLEMEN,—I have the honor to acknowledge the receipt, this morning, of your printed letter of the 2nd inst., addressed to the Secretary of State for the Provinces, embodying two series of resolutions passed during the last Session of the Legislature of the Province of New Brunswick; one by the Legislative Council and the other by the House of Assembly of that Province, setting forth that you have been appointed by the Lieutenant-Governor of New Brunswick in Council as delegates to proceed to Ottawa, on the subject of the resolutions in question, and generally to consider the abstract right of that Province to better terms, as a member of the Dominion.

Your letter has been transferred to the Secretary of State for Canada, through whose Department all such matters are brought under the notice of His Excellency the Governor General.

I have the honor to be, Sirs, your obedient servant,

E. A. MEREDITH, *Under Secretary of State.*

The Honorables

GEORGE L. HATHEWAY,  
BENJ. R. STEVENSON,  
WM. WADDERBURN, Esquire, M.P.P., Ottawa.

\* It may be proper to note, in explanation, that when the undersigned stated in their letter of October 2nd that the Province of Nova Scotia had succeeded in its public buildings claims, they

The following letter had already been addressed to the Hon. Dr. Tupper, C.B., President of the Privy Council :—

OTTAWA, 3rd October, 1871.

SIR,—The delegates appointed by the Government of New Brunswick to confer with the Privy Council of the Dominion of Canada on the subject of better terms for the Province of New Brunswick respectfully solicit an interview at as early a day during the ensuing week as your honorable body may appoint.

We have the honor to be, your obedient servants.

GEORGE L. HATHEWAY,  
BENJ. R. STEVENSON.  
WM. WEDDERBURN.

HON. DR. TUPPER, President of the Privy Council, &c., &c., &c.

To which the undersigned received the following reply :—

OTTAWA, 4th October, 1871.

GENTLEMEN,—In reply to your letter dated yesterday, I have the honor to inform you that the Privy Council will be happy to receive you as delegates from New Brunswick on Monday next, at 3 o'clock.

I remain yours faithfully,

CHARLES TUPPER.

THE HONORABLES

G. L. HATHEWAY,  
B. R. STEVENSON,  
WM. WEDDERBURN, Esq., M.P.P.

As Your Excellency will at once perceive, from a perusal of their letter of the 4th October, it was impossible for the undersigned to pursue their investigations of the Dominion returns and accounts down to a later date than the close of the fiscal year 1869-70; they therefore addressed the following letter to the Hon. the Minister of Customs :—

OTTAWA, 7th October, 1871.

SIR,—Referring to our letter of the 2nd instant to the Hon. the Secretary of State for the Provinces: We found it impossible to go as fully into the Customs returns of Nova Scotia and New Brunswick as we desired, as we had not at our disposal the figures for the year ending 30th June last. We therefore take the liberty to ask you if you can furnish us with the official returns up to the present time, that we may use them as we may find necessary in discussing our claims upon the Dominion for better terms.

We have the honor to be your obedient servants,

GEORGE L. HATHEWAY,  
BENJ. R. STEVENSON,  
WM. WEDDERBURN.

HON. S. L. TILLEY, C. B., Minister of Customs, &c., &c.

And a similar letter to the Hon. the Minister of Public Works, as follows :—

OTTAWA, 7th October, 1871.

SIR,—Referring to our letter of the 2nd instant to the Hon. the Secretary of State for the Provinces: We found it impossible to go as fully into the returns from the public works of Nova Scotia and New Brunswick as we desired, as we had not at our

tended to refer only to the success of that Province in obtaining a reference to the disputed questions to arbitration—in itself, and under the circumstances admitted at that time to be no small concession. Since then, however, and the writing of this report, their remark has acquired additional force, from the nature of the award of the arbitrators, and the statement therein that they looked "at the wide scope granted them under the above authority from Sir Francis Hicks, for and on behalf of the Dominion, to take into consideration a large and generous view of the financial position of the new provincial buildings," &c., &c.



disposal the figures for the year ending 30th June last. We therefore take the liberty to ask you if you can furnish us with the official returns up to the present time, that we may use them as we may find necessary in discussing our claims upon the Dominion for better terms.

We have the honor to be your obedient servants,

GEORGE L. HATHEWAY,  
BENJ. R. STEVENSON,  
WM. WEDDERBURN.

Hon. A. LANGEVIN, C. B., Minister of Public Works, &c.

And a similar letter to the Hon. the Minister of Inland Revenue, as follows:—

OTTAWA, 7th October, 1871.

SIR,—Referring to our letter to the Hon. the Secretary of State for the Provinces: We found it impossible to go as fully into the returns from the Inland Revenue Department from Nova Scotia and New Brunswick as we desired, as we had not at our disposal the figures for the year ending 30th June last. We therefore take the liberty to ask you if you can furnish us with the official returns up to the present time, that we may use them as we may find necessary in discussing our claims upon the Dominion for better terms.

We have the honor to be your obedient servants,

GEORGE L. HATHEWAY,  
BENJ. R. STEVENSON,  
WM. WEDDERBURN.

Hon. ALEXANDER MORRIS, Minister of Inland Revenue, &c.

Notwithstanding the rule that a large portion of the information thus desired is not allowed to transpire until formally laid before the Dominion Parliament, in consideration of the exceptional nature of their mission the undersigned were placed in possession of most of the returns sought for, informally and confidentially, for their use during their stay at Ottawa, in performance of the duties delegated to them. They are, for obvious reasons, however, not herewith submitted to Your Excellency, but will appear hereafter in the official reports to be presented to the Dominion Parliament.

Pursuant to the foregoing appointment, the undersigned were honored with a hearing before the Honorable the Privy Council, on Monday the 9th day of October instant; and upon the occasion embraced the opportunity to enlarge upon and otherwise enforce each of the arguments and propositions presented in their letter of the 2nd instant—(a copy of which had already been handed to each Minister)—and to comment upon—and to fortify their case with—and to advance other views suggested by—the additional and valuable information as to Customs, public works, revenue, &c., placed at their disposal.

The undersigned should, perhaps, inform Your Excellency, that they admitted, notwithstanding time and experience have abundantly proved that the British North America Act, 1867, has not provided anything like adequate terms for New Brunswick, yet, as this Province had solemnly and deliberately accepted it, and severe and exceptional as the financial results must prove, no complaint or appeal for better terms would probably have been made in its behalf but for the Nova Scotia concessions and the very generous nature of the terms granted to the Provinces of Manitoba and British Columbia, and offered to Newfoundland and Prince Edward Island. They referred, also, to the arrangement concluded with Ontario in the matter of the Great Western Railway Company,\* which has practically and effectually enhanced the terms given to that Province by the Act of Union. They thereupon contended the charge could not justly be preferred against New Brunswick, that it alone sought or seeks relief from a constitutional compact which it had accepted. Indeed, that the

\*Dom. Stat., 33 Vic. cap. L.; 34 Vic. Cap. XLIV; et. cet.

original agreement or Act of Confederation, and the terms foreshadowed by the Quebec and London Conferences, both technically as regards Nova Scotia and practically as regards all the Provinces of the Confederacy, except New Brunswick, consist only by a sort of misnomer, so largely had they been departed from either in letter or in spirit, and sometimes in both. And because they had not in their letter of the 2nd instant gone into the arguments presented by these better terms to Ontario, British Columbia, Manitoba, Newfoundland and Prince Edward Island, the undersigned accepted this opportunity of orally referring to them, and of comparing them with the terms contemplated by the Conferences and the Act of Confederation and those granted to New Brunswick. And as the undersigned had frequently to meet the charge of extravagance against New Brunswick published in the Upper Provinces since the movement in the Legislature in favor of better terms, and the allegation that the funds allotted to it were wasted and needlessly consumed, they took occasion to refer to that subject before the Privy Council, and more fully during their conferences with certain members of the House of Commons who adopted that line of argument. They appealed to the annual accounts of the Province, and contended that no new items had been added to the public expenditure since Confederation; precisely the same services, now a charge on the Local Government, had for years that existed before Confederation—indeed, ever since the establishment of responsible Government, and were contemplated by the Union Act in the distribution of the legislative and general powers of the Dominion Parliament and the Local Legislature, and had not been made any more expensive than the exigencies of each case demanded as the Province progressed. That for the support of all these the terms of the Union Act were intended, but are inadequate; and that all of them, with the other services originally within the jurisdiction of the Provincial Government, were comfortably cared for before Confederation. That it is manifestly irrelevant and unjust to pretend to reply to the claim for better terms, that New Brunswick must perforce now reduce its remanent establishment and expenditure, in order to make the terms of the British North America Act “fit” its case, and so continue the work of reduction—if not of demolition—from time to time, as the provisions of the Act become more and more oppressive. And it is to be remembered all this must be not for a year or a decade, but for all time, as long as the constitution shall continue to exist. And, in the natural current of events—if New Brunswick is not to become stationary amid the general progress of the confederated Provinces and the neighboring States—when this reduced expenditure and this diminished establishment are found incommensurate with the requirements of the day, shall we retrace our steps in the local political organism and economy of the Province to things as they now are? Rehabilitate our establishment and enlarge our expenses? And then seek, with any reasonable hope of success, to secure better terms? And would any who desire now to hold this Province—and this one alone—to the very letter of the Act, be any more willing then to do justice to our wants and our sacrifices, and to relieve us from the penalties of the bond? But the undersigned submitted, also, that no such propositions were presented to Nova Scotia, and no such spirit pervaded the negotiations with the North-West Territory, or British Columbia, or the offers made to the outlying colonies. That had any such proposals been advanced prior to Confederation, and when the schemes of Union were submitted—instead of the large promises contained in Imperial despatches, Government memoranda and Conference resolutions, and in the speeches of the Canadian and other delegates delivered from city to city, from Charlottetown to Ottawa, and all of an exactly opposite and reassuring tenor—New Brunswick most certainly would have refused to enter into any constitutional alliance with “Old Canada.” That, furthermore, New Brunswick will have made sufficient sacrifice, under any circumstances, to secure to the British North American Provinces a constitution, without now being called upon to submit to external dictation and practical coercion and control as to the curtailment or limiting of its own internal expenditure below what it had long before enjoyed, and below what was professedly guaranteed to it in 1867; and only because it logically seeks to obtain under the constitution the same consideration it enjoyed before the constitution, and which others



have so liberally received since the adoption of the constitution. And they claimed throughout all the Conferences referred to in this report to Your Excellency, that whatever organic changes, if any, may be deemed desirable or necessary hereafter must be solely matter for the consideration of the Local Legislature,\* and that the benefits accruing, if any, should of right belong to New Brunswick, and not to the Dominion, as in all similar cases; but, finally and above all, that no reductions can possibly be made large enough to render the demand for better terms either unnecessary or untenable.

In addition, the undersigned felt it their duty to present more in detail than could be conveniently embraced in any letter a statement of the annual income and the annual expenditure in the local services, as set forth at large in the Journals of the last Session of the Provincial Legislature.† They explained, among other things, that not only were all the funds allotted to this Province and available under "The British North America Act," and the local revenue, legitimately and entirely absorbed from year to year, but also that the additional sums of \$200,000 and \$14,000—balances in the hands of the Government and Departments in 1867, and to which casual reference is made in their letter of the 2nd instant, had been included in and carried through successive annual estimates and accounts, and had been from time to time appropriated in part to the current ordinary expenses of the local service. That a reference to the financial statements of New Brunswick, from 1868 to 1870, both inclusive, will show how soon and how steadily that surplus, or reserved fund, diminished. The balances during this period were thus stated:—

‡October 31st, 1868.....	\$213,073 09
do 1869.....	113,040 49
do 1870 .....	82,064 96

These results of the financial operations of the respective fiscal years referred to—and to which only passing reference could be made in the argument before the Privy Council—proved, they contended, that the whole balance, from the 1st day of July, 1867, to the close of the first financial year of New Brunswick under the new constitution, did not reach in amount the original provincial surplus. Indeed, but for the incorporation of these sums with the current accounts of the Province from time to time, the positive insufficiency of the terms provided for New Brunswick in the Act of Union would have become immediately apparent to the public eye. And they intimated it was quite possible that in some quarters, where the true nature of the items of the financial statements was not fully understood, the injurious impression had been created that New Brunswick not only enjoys sufficient for its local purposes, but also a balance to its credit as the yearly result; but members of the Privy Council must now apprehend how erroneous this view of the case really is. They argued also, that a portion of the sum referred to is included in the financial statement of the current fiscal year,§ and that the final instalment of it is, in fact, the supposed "surplus" of \$82,064.96. Hence, it was claimed, it must appear manifest, that the Government of New Brunswick, confined to the subsidies and grants of the Act of 1867, is far more than unequal to the absolute emergencies of the public service. But they further argued, during this period the annual provincial subsidy has been paid to New Brunswick in full, notwithstanding, and while the Canadian Government claims, as per the Public Accounts, that it has become indebted to the Dominion in the further sum of \$575,298||—on account whereof interest at 5 per cent. per annum will be charged against this Province and be deducted from our subsidy under the terms of the British North America Act.¶ The undersigned also endeavored to estimate the financial condition of the Province when the subsidy shall be reduced by this contra charge of interest nearly \$30,000;\*\* and the still further and greater embarrassment when the full sum of \$63,000 is wholly withdrawn in 1877.†† For, if

\* B. N. A. Act 1867, sec. 92.

† Journ. House of Assembly, 1871, p. 90-112.

‡ Journ. Legislature, 1868, '69, '70, '71.

§ Journ. House of Assembly, 1871, p. 108.

|| Resolutions Leg. Coun. ante.

¶ B. N. A. Act, sec. 115.

†† B. N. A. Act, sec. 119.

\*\* Public Accounts, Canada iii, 17.

during this short period New Brunswick has thus necessarily exhausted its reserved fund, local revenue, subsidy, *per capita* allowance and legislative grant, and increased its debt to the Dominion \$575,298 over and above \$7,000,000,\* what must be the condition of affairs when it has no reserve, and but half of the present provincial subsidy?—or, in ten years from the time of Union, now a very short period in the life of a Province, when, without any old surplus to its credit in the Department, its already increased indebtedness over the provincial debt prescribed by the Act has, at the same rate of increase, assumed double its present proportions, and the full sum of \$63,000 per annum has been wholly taken away? And on this (then) indebtedness will the Canadian Government demand interest and from what item then remaining to us shall it be deducted?† That in view of these figures—now a part of the financial history of New Brunswick during less than five years under Confederation, and if there is anything reliable in the logic of events, and the lessons of accomplished facts—upon this branch of the enquiry alone, New Brunswick, without better terms, must, for ordinary local purposes, apart from all desirable provincial improvements or investments, again impose new and heavier and direct taxation upon the people, or drift into financial bankruptcy. That from information derived from the Hon. the Minister of Agriculture, and also from the census commissioner at St. John, the undersigned were led to believe the results of the late census would not very materially or substantially affect any of their estimates as to the future of New Brunswick financially; but would only illustrate more forcibly the unfairness of the *per capita*, and other arrangements of The British North America Act. Such, then, to New Brunswick, at least and alone, must be the issues of the financial bargain of 1867. They asked the Privy Council, therefore, “as it is so obviously the interest of the Government and Parliament of the Dominion that the Union should work satisfactorily,”‡ to interpose, as well in the interest of justice and for the happiness of Canada at large as for the comfort and peace of New Brunswick, that such a state of things may be prevented; that from the large surplus in the Dominion treasury, to which New Brunswick so generously and increasingly contributes, such allowances be granted as shall at least restore the Province fiscally to something like the comfortable financial position it held anterior to Confederation, and thus ward off impending and inevitable troubles and taxation new to its history and unjust to its people, in the same spirit as had already been most liberally and effectually done in the case of every other Province of the Dominion.

Nor could the undersigned admit the truth of the assertion made elsewhere, that New Brunswick now sues *in forma pauperis* for concessions to which it is in nowise entitled, according to the rule of procedure already and repeatedly adopted by the Government and Parliament of Canada; but that it most equitably, and by the very right of the matter, simply seeks that the same rule be applied to it, and that it, too, shall be relieved from the necessitous nature of its financial condition, brought upon it by the operation of a constitution which has practically impoverished the New Brunswick treasury while it has enriched the treasuries of the other original Provinces of the Union, and has filled the general exchequer with a most generous surplus. And when Ontario and Quebec are admittedly reaping these great monetary advantages;—when “Old Canada” has obtained communication with the open sea through British territory, maritime markets, representation by population, and the long looked for abolition of the constitutional anomalies of dual leadership, double majorities, political dead locks and the internal antagonisms of race;§ when both Provinces are loudly and often congratulating themselves upon the full realization of all the sanguine hopes of 1867;|| when Nova Scotia, our own maritime neighbor, has obtained relief from the undue pressure of the Act, and is now conciliated and satisfied¶;—when Manitoba has been granted constitutional

\* B. N. A. Act, sec. 118.

† B. N. A. Act, sec. 119; Dom. Stats. 33 Vic., cap. II.; N. S. and N. B. Acts. Pub. Accts. Canada, III, pp. 16, et cet. “Public Debt,” Letter 2nd Oct., ante.

‡ Sir John A. Macdonald, Nova Scotia Correspondence.

§ The Union of the Prov. B. N. A. by Hon. Joseph Cauchon, 1865, p. 1-33.

¶ Dom. Stat., 33 Vic., chap. 2.



Government and the establishment of peace, order and protection,\* and British Columbia has gained admission to the Union literally on its own terms,† and both under financial arrangements peculiarly liberal and advantageous to them; New Brunswick may, they argued, surely and confidently expect the co-operation of these sister Provinces to make it also and equally contented;—more particularly when to it must be attributed so largely the adoption of that system of Confederation which has thus so greatly and materially enriched and benefitted them, and towards whose prosperity the taxes of New Brunswick so much contribute. That, in fact, while bearing their full quota of the general expenditure of the Dominion for these objects, our own people will have practically paid with their own money involved in the surplus of the Dominion exchequer at least to a considerable extent, for any concessions which may be made, while at the same time if any commercial advantages have accrued to New Brunswick they are necessarily and essentially of that nature which increase directly and indirectly the financial ability and prosperity of the Dominion. And why a Province which proportionally contributes so much the more to the general revenue of the Dominion than the others, as is apparent from previous observations, should be held alone bound to a position from which it shall for all time derive so much the less advantage, is a problem which the undersigned could not pretend to solve.

§ Since this report was written His Excellency the Lieutenant-Governor of the Province of Quebec, upon opening the Legislature of that Province, in his speech, among other things, made the following announcement:—

"The Public Accounts will be submitted to you and the usual Supplies asked for the different branches of the public service, and for the important objects of education, public charities, agriculture and colonization. My Government has exerted itself to reduce the expenses to what strict necessity requires, and I have no doubt you will also use a wise economy in the employment of the public funds. You will be happy to learn, notwithstanding the large expenditure which has been incurred during the last four years in public works—in the establishment of schools of reform and industry—in the development of public instruction—in the construction and improvement of court houses and gaols—and in all the numerous objects which the constitution has left in the charge of the Local Government, there still remains a considerable sum to the credit of the Province;"—showing that the Province of Quebec is able to incur "large expenditure" for public works, schools of reform and industry, public instruction, and in the construction of court houses and gaols, "and in all the numerous objects which the constitution has left in charge of the Local Government," and have, after all, "a considerable sum to the credit of the Province." And His Excellency the Lieutenant-Governor of Ontario, upon meeting the Legislature of that Province in December last (1870) used similar language of congratulation, as follows:—

"My predecessor, at the opening of the first Session of this Legislature, intimated that you begin your labors with revenues at your disposal large enough to justify the hope that they would prove adequate, not only for the actual requirements of the Government, but also to satisfy the wants of this rapidly improving country. The opinion then so confidently expressed the experience of the past three years has established to be well founded, as is strikingly evidenced in the large surplus remaining unused in the provincial treasury, and that, too, after satisfying not only the ordinary outlays required for the public works and charities, but also providing for various public works of great utility and the erection of public institutions which are no less creditable to your liberality than productive of lasting benefit to suffering humanity, and the general interests of the province at large. How best to apply this surplus, or, at all events, a considerable portion thereof, in developing the resources of the Province by advancing the commercial and agricultural interests of the people, it will be for you to determine."

And His Excellency repeats more emphatically these congratulations in 1871, as follows:—

"Mr. Speaker and Gentlemen of the Legislative Assembly:

"During no period in the history of Her Majesty's North American possessions can there be found recorded of any one of them a condition of prosperity which can at all approach that now almost everywhere exhibited in this Province, and it therefore affords me great pleasure to congratulate you on so favorable an aspect of our country's stride in the path of material advancement."

Such glowing language must sound strange and unfamiliar to any New Brunswicker who truly and thoroughly understands the financial condition of his Province, and silence every apprehension that Ontario and Quebec will ask for better terms than such as they now enjoy. And it is to be remembered that Ontario has not yet commenced to reap the advantages of the Ontario-Quebec award.

The case of Nova Scotia has been already largely referred to.

The speeches of the Lieutenant-Governors of British Columbia and Manitoba have not been received by the undersigned, nor have they been able to obtain copies of them; but other references made in this report to those Provinces will suffice. See also Imp. Stat., 31 and 32 Vic., chap. 105; and "Report of Delegates to negotiate for the acquisition of Rupert's Land and the North-West Territory," May 8, 1869, &c.

\* Dom. Stat., 32 and 33 Vic., chap. 3; 34 Vic., chap. 14, &c.

† The Hon. Mr. Trutch's speech, post.

Before proceeding further, although only general reference was made to them at Ottawa by the undersigned, they take the liberty to recall Your Excellency's attention to the following extracts from the addresses delivered by eminent Canadian gentlemen in different parts of the Provinces, as they and the maritime delegates proceeded with their deliberations on the subject of the Union then proposed, and as published generally by the colonial press at that time; and also to an extract from the speech delivered by the Hon. Mr. Trutch, one of the delegates from British Columbia, at the complimentary dinner to him at Ottawa, 10th April, 1871, the Hon. Sir George E. Cartier presiding. From these extracts Your Excellency may the more readily perceive that in the proceedings the undersigned have been largely influenced by the spirit so widely diffused when Confederation was not yet accomplished, and which they now desire may obtain equal prominence and influence when the reconsideration of the case of New Brunswick is presented. They also give one or two quotations from Imperial despatches. They might easily make their quotations and extracts lengthier and more voluminous, but as each address was delivered in the presence of all the speakers fresh from the deliberations of the Conferences, they have rather endeavored to point them to different phases of the discussion, instead of swelling this report with what might be considered mere cumulative evidence on each distinctive proposition. And in the perusal of them one cannot help recalling to his mind the language employed in the "Nova Scotia correspondence," and during the "Parliamentary debates" on the subject of the admission of British Columbia and the North-West Territory; and to ask himself whether that "spirit" became exhausted upon those matters, and shall be powerless of influence when New Brunswick endeavors to invoke it?

The extracts to which the undersigned desire to refer Your Excellency are as follows:—

Hon. Mr. Cardwell.—"Her Majesty's Government cannot but express the earnest hope that the arrangements may not be of such a nature as to increase, at least, to any considerable degree, the whole expenditure, or make any material addition to the taxation, and thereby retard the internal industry, or tend to impose new burdens on the commerce of the country.—[Dispatch, 3rd December, 1864.]

"You will, at the same time, express the strong and deliberate opinion of Her Majesty's Government that it is an object much to be desired that all the British North American colonies should agree to unite in one Government. In the territorial extent of Canada, and in the maritime and commercial enterprise of the Lower Provinces, Her Majesty's Government see elements of power which only require to be combined in order to secure for those Provinces which shall possess them all a place among the most considerable communities of the world. \* \* \* \* Such an union seems to Her Majesty's Government to recommend itself to the Provinces on many grounds of moral and material advantage, as giving well founded prospect of improved administration and increased prosperity."—[Dispatch, 24th June, 1865.]

The Hon. (now Sir) John A. Macdonald.—"He had, however, every reason to believe that the result of the Conference which held its sittings at Charlottetown would lead to the formation and establishment of such a federation of all the British North American Provinces as would tend very materially to enhance their individual and collective prosperity, politically, commercially and socially."—[Speech at Charlottetown, 8th September, 1864.]

"In discussing the question of Colonial Union we must consider what is desirable and practical; we must consult local prejudices and aspirations. It is our desire to do so. I hope that we will be enabled to work out a constitution that will have a strong Central Government, and, at the same time, will preserve for each Province its own identity, and will protect every local ambition; and if we cannot do this, we shall not be able to carry out the object we have in view \* \* \* \* I will merely say we are desirous of a union with the Maritime Provinces on a fair and equitable basis; that we desire no advantage of any kind; that we believe the object in view will be as much in favor as against the Maritime colonies."—[At Halifax, 12th September.]



The Hon. (now Sir) George E. Cartier.—“As to the question of Colonial Union \* \* he hoped and believed the result of their deliberations would end in a grand confederation of the British Provinces, such as must prove beneficial to all and an injury to none.”—[At Charlottetown.]

“Gentlemen, you must not be afraid of us who come from Canada, because we represent a country greater in respect to population and territory. Don't be afraid of us; don't tell us to go back with all our offers of no avail; don't tell us, as it was formerly said of others—

*‘Timeo Danaos, et dona ferentes.’*

Let me assure you that the promises we make are made in all sincerity and good faith; in urging Union upon you we believe we are doing that which will be for your happiness and prosperity.”—[At Halifax.]

“But I know that in this city and elsewhere it is sought to turn public opinion against us by saying that if you have a Local Government you must resort to direct taxation for the support of the Government. This would never be the case, for a subsidy was to be paid by the General Government to each of the Local Governments to cover their expenses, and there would be some small items of local revenue, which would be sufficient.”—[At Montreal, 29th October.]

The Hon. George Brown.—“Heretofore, we had been known as separate colonies, and the merits and disadvantages of each compared and set off against the other—but with Union the advantages of each would pertain to the whole—a citizen of one would be a citizen of all, and the foreign emigrant would come with very different feelings of confidence to our shores. \* \* \* On a survey of the whole case, I do think that there is no doubt as to the high advantages that would result from a Union of all the colonies, provided that the terms of Union could be found just to all the contracting parties, and so framed as to secure harmony in the future administration of affairs. That is the unanimous conclusion of the Conference \* \* But it were wrong to conceal for a moment that the whole merit of the scheme of Union may be completely marred by the character of its details.”—[At Halifax.]

“A new Conference would shortly take place, in which all the details of a plan of Confederation would be examined with the greatest care, which, if it went into operation, would place us all on an equal footing as British Americans, instead of being, as now, sectional provincialists, with divided interests.”—[At St. John, 14th September.]

“There is a very pleasing feature in the finance question: A Confederation of five States is about to be formed, and it is to the credit of the whole that not one of them has ever been unable to meet its obligations to the day, and still further, that the finances of all are now in such a satisfactory condition that every one of them has a large surplus of revenue over expenditure for the current year.”—[At Toronto, 2nd November.]

The Hon. (now Sir) A. T. Galt.—“We shall have a common interest in each other's proceedings. \* \* \* I don't wish that this audience should go away with the idea that we Canadians, in coming down here and bringing this subject before you, are actuated by any other than feelings of patriotism.”—[At Halifax.]

“He hoped the discussion of this public question would induce gentlemen to look at it in all its bearings, and that they would find that what was good for Canada would be good for the Lower Provinces. He was sure they would look at this question not in a selfish point of view, but in one which has regard to the benefit of all. He believed that Union would be productive of good both to Canada and the Maritime Provinces. It was not a light thing for a people to trust their prosperity to others.”—[At Montreal.]

“I am confident this great Union will tend to the protection of all our interests.”—[At Ottawa.]

The Hon. Sir E. P. Taché.—“Union will benefit us all—not merely this one or the other one, but the whole.”—[At Quebec.]

The Hon. T. D'Arcy McGee.—“The maritime delegates might say we (Canadians) desired this Union; that if Canada goes into it she goes into it for no small or selfish purpose; that the people of Canada are, year by year, becoming more liberal and enlightened in their views. \* \* \* He was sure they might say to their constituents, that Canada would come into the Union with a view of securing their common prosperity and welfare.”—[At Montreal.]

The scope and tenor of the numerous speeches delivered throughout New Brunswick, from 1864 to 1867, and during two electioneering campaigns, on the question of Confederation, and breathing even more fully the “spirit” of the preceding extracts, are already quite familiar to Your Excellency.

The Hon. Mr. Trutch, while reviewing the negotiations of the Dominion Government with himself and his co-delegates from British Columbia, said:—

“As soon as we came to consider the question of terms, we arrived at the conclusion that no scheme, based on the actual population of the country, was capable of being adopted; that it was simply impossible to proceed according to the strict terms of The British North America Act in this respect. \* \* \* We then insisted that we must have a certain sum of money, and urged that it was unwise to cut the means of the colony down below the actual revenue required for necessary expenditures, as the Dominion would only ultimately find itself obliged to make a more liberal arrangement, and we pointed out that the colony was giving up the only elastic source of revenue which we have—the Customs revenue—the only source of revenue capable of meeting the growing requirements of the people, and that even if we got at first more subsidy than our population entitled us to, year by year, as our numbers increased, the Dominion would get the better bargain financially. \* \* \* That was the conclusion arrived at by our Legislative Council in 1870, and urged upon your Government by the British Columbia delegates” (the Pacific Railway) “as the *sine qua non* of our Union. We argued, ‘if Canada is now ready to make this railway, then let us join her at once; if not, we shall do better to stay as we are, until she is prepared to undertake the responsibility of that enterprise.’ \* \* \* We have never been able to appreciate that we were bound by the British North America Act in the matter of representation.”

After a most patient and protracted hearing by the Hon. the Privy Council of each of the undersigned, on the points referred to in their letter of the 2nd inst., or indicated in other portions of this report, the different items of the claims of New Brunswick were made matter of conversational discussion.

The undersigned had the honor also of several interviews with the Hon. the President of the Privy Council, the Hon. the Minister of Justice, the Hon. the Minister of Finance, the Hon. the Minister of Customs, and the Hon. the Minister of Agriculture, and several members of the House of Commons, and on each occasion the claims of New Brunswick were fully discussed, but principally in relation to the different Departments.

It was, however, suggested by some of the Ministers, during these individual conferences, that many of the difficulties referred to might be redressed or removed by a “Legislative Union of the Maritime Provinces, of Nova Scotia and New Brunswick.” The undersigned felt it their duty, however, to decline anything like a *quasi* official expression of their sentiments on the abstract question of such a Union, or the probable or improbable acceptance of it by the Province of New Brunswick; first, because they deemed the discussion of such a subject foreign to their present mission, and as they were not in a position to express anything more than an opinion which could not possibly partake of a representative character; second, because they concluded and contended that the matter of better terms for New Brunswick should be considered and adjudged on its own merits, independently of any present or future determination or opinion of this Province on that of a Maritime Union; for while on the subject of better terms, both branches of the Legislature of New Brunswick are united and unanimous, on that of the Union differences of opinion might and probably would arise; and that, in the present financial state and difficulties of this Province, it must occupy a most disadvantageous position in any negotiations with Nova Scotia



on that subject, should the Legislature of New Brunswick desire or propose to proceed therein.

The Hon. Provincial Secretary was also favored with a lengthy interview with the Hon. Mr. Mitchell, Minister of Marine and Fisheries, as the Minister was reluctantly compelled to leave Ottawa before the arrival of the Hon. Surveyor General and Mr. Wedderburn.

The undersigned closed their labors at Ottawa on Thursday, the 12th instant, and left for New Brunswick on the following morning.

Before leaving Ottawa the undersigned were informed that several points raised by them had been referred to the Hon. Minister of Justice, the Hon. Minister of Finance, the Hon. Minister of Customs, and the Auditor-General, respectively, and that immediately upon the return of the Hon. Messieurs Langevin, Howe and Mitchell (who were unavoidably absent) the claims of New Brunswick to better terms would command the further consideration of the Privy Council; and the undersigned expressed the desire to be heard by correspondence or otherwise, on any matter involved which might appear doubtful or uncertain, before final decision thereon by the Privy Council. It was therefore arranged that in such case correspondence would be had with the Government of New Brunswick.

The undersigned beg further to report that the fullest and most courteous consideration was readily accorded to them at all the interviews referred to with the members of the Privy Council; and they have the pleasure to add that, while exception was taken to some of the arguments presented, the equity of their case on behalf of New Brunswick was largely admitted—the right of the Province to a full measure of justice under the circumstances conceded—and the distinct assurance given that the Government will exercise all its power and influence to remove every just cause of local discontent and disquietude, and to make the Government and the Legislature and the people of New Brunswick satisfied as to their financial relations with the Dominion. The Privy Council reserved the right, on a full discussion and review of the whole case, to determine in what manner relief and reparation shall be afforded to this Province, without doing injustice to other portions of the Dominion. Giving, therefore, full confidence to such repeated acknowledgments and assurances, the undersigned feel warranted in reporting to Your Excellency that the Privy Council of Canada will adopt such measures for the relief of New Brunswick as shall be eminently satisfactory to Your Excellency in Council, to the Legislature and to the people, and at the same time give no just or fair cause of complaint to other portions of the Confederacy.

Finally, the undersigned desire to acknowledge through Your Excellency the many courtesies extended to them at all times by His Excellency Lord Lisgar and the members of the Privy Council and others at Ottawa, while in the discharge of the duty devolved upon them; and to request Your Excellency will be pleased to cause a copy of this report to be transmitted to the Honorable the Secretary of State for Canada, to be laid before His Excellency the Governor General in Council.

While fully appreciating the magnitude and the delicate and difficult nature of the labor assigned to them by your Excellency in Council—and very willing, as Your Excellency was informed, to give place to others better qualified properly to perform it—the undersigned, upon receipt of Your Excellency's commands, felt it would be an unworthy abandonment of the position they assumed deliberately on this subject in the Legislature, and a dereliction of duty to the Province, did they shrink from the work thus delegated to them. They beg, therefore, respectfully to assure Your Excellency that while fully impressed with a sense of the imperfect manner in which they have discharged their duty, they have at least been actuated by a sincere and an earnest desire to secure a full measure of justice for the Province they were thus called upon to represent, and by a determination to allow no past political sentiments and no considerations of party allegiance or attachment to intervene between them and the attainment of that end.

Under these circumstances they respectfully hope their humble labors may commend themselves to Your Excellency's most favorable consideration.

We have the honor to be Your Excellency's obedient servants,

GEORGE L. HATHEWAY,  
BENJ. R. STEVENSON,  
WM. WEDDERBURN.

FREDERICTON, N. B., October, 1871.

FREDERICTON, N. B., 31st January, 1873.

HON. JAMES COX AIKINS, Secretary of State of Canada, &c., &c.

SIR,—In the month of October, 1871, delegates appointed by His Excellency the Lieutenant-Governor of New Brunswick in Council had the honor to submit, for the consideration of His Excellency the Governor General in Council, the claims of this Province upon the Government and Parliament of Canada for a readjustment of the financial arrangements made for it by the terms of the British North America Act, 1867.

Consequent upon the death of the late Hon. Mr. Hatheway and other changes in the Government, the undersigned have received the commands of the Lieutenant-Governor in Council to continue the negotiations at that time commenced, and to again solicit the consideration of the Governor General in Council to the case and claims of this Province.

#### FORMER NEGOTIATIONS.

Referring to the letter of the delegates, under date of 2nd October, 1871, and to the several interviews subsequently had by them with the Hon. the Privy Council, and to the report of the delegates submitted to the Legislature of New Brunswick during the Session of 1872,\* the undersigned desire to submit that an examination of the Public Accounts respectively of Canada and New Brunswick for the fiscal year since closed will most amply sustain and strengthen the arguments before presented on behalf of New Brunswick; and that on almost every branch of the inquiry the result of the financial operations of the succeeding year will place in yet stronger contrast the injustice New Brunswick has sustained, while it will be found the emergencies and difficulties of the public service have become more complicated and embarrassing. And to prevent misunderstanding in the mind of any one not acquainted with the details, it may be well to explain what otherwise might appear a great inaccuracy of figures or misstatement of fact by the undersigned on this subject. It may be discovered, by a glance at the Public Accounts of New Brunswick, and particularly the "Estimated Income of 1872,"† that an item is imported into the account of "balance on hand, 31st October, 1871—\$95,734.13," and thus making the—

Estimated income		\$625,404 78
Less—Deduct proportion of Dominion subsidy, $\frac{1}{2}$ belonging to the year 1873, say	\$57,000	
For old appropriations	4,000	
		61,000 00

Available for expenses of 1872 . . . \$564,404 78

#### Estimated expenditure—

Authorised by law	\$224,914 48
To be voted by Legislature	247,988 33
Total for expenditure	472,902 81
Unappropriated	\$ 91,501 97

\* Journals of New Brunswick, 1872, page 28.

† *Ibid*, pp. 93-114.



Truly, these figures may be taken as correct; and it may well be said, what need hath New Brunswick for better terms, when it had a balance, in 1871, of \$95,734.13, and an estimated balance, for 1872, unappropriated, of \$91,501.97? But it is observable that these balances include \$83,064.86, being the final instalment of the reserve fund of October, 1867; \* the grant of \$10,000 for immigration purposes; \$45,157.05, the amount paid New Brunswick for railway iron; an increase in the casual and territorial revenue, on which similar drafts cannot be made for a long time, and \$600 interest on the Commercial Bank debt, which, even omitting the income from the casual and territorial revenue will make a total of \$128,821.91! At the same time, the grant for immigration is an amount for a specific service, and the remaining items are merely extraordinary sums, which do not arise from the permanent revenues of the Province, but completely end with their use. And, moreover, these do not include any statement of the liabilities of the Province upon subsisting contracts not yet at maturity, for certain public works, &c., and which therefore cannot be charged in the present accounts, nor the large claim of \$83,133.33 made by the Dominion for interest up to the 30th June, 1872! Thus, Sir, it will be perceived at once that while the financial statements are perfectly accurate, such an argument by any opponent of New Brunswick is not warranted by a full knowledge of all the facts; nor should it be a circumstance of much weight, when it is remembered how many pressing improvements—many of them being yearly provided for in other Provinces—are necessarily neglected here, and the generous surplus the other Provinces obtain under the constitution.

#### NEW BRUNSWICK.

Indeed, so painful and obvious are these things, that were they to assume that their assured hopes of parliamentary redress from this deplorable state of public affairs are vain or delusive, the people must become despondent, in view of the exigencies of the future, and the rapid and inevitable advance upon them of the time when a resort must be had to a very burdensome system of additional taxation, hitherto unknown to their history—and to which they cannot be expected willingly to submit. It is doubtless because thus far these difficulties have mainly been felt by the Government, and taxation has been warded off by drafts upon these reserve funds and other provincial means now nearly exhausted, and that the people have faith that Parliament will redress their wrongs before the full burden of them does fall upon them, that the people have hitherto made no further demonstration than the united action of their Legislature in 1871. But when in the legitimate course of things, this unjust pressure of taxation shall be fully felt by the people at large, general public irritation and disquietude must succeed the attitude of petition, and swell the voice of popular remonstrance. Already to every man who has made a substantial investigation of public affairs in connection with the fiscal legislation of this Province, it is but too clear that month after month the funds accumulated, amounting, in 1867, to \$214,000, are being exhausted—that the capital and resources of the Province are being consumed—that internal improvements and public undertakings, important or essential to the advancement and welfare of the people, are necessarily neglected†—while the claims whether well founded or not, made by the Dominion Government upon the small stipend granted for legislative and other purposes, are swelling to comparatively enormous amounts, and may be pressed for with every payment of the subsidy. That, at the same time, whatever may be alleged to the contrary, the expenses of the Government and Legislature have been seriously reduced since 1867, and the people have yielded a peaceable support to the constitution. But, Sir, submission to injustice is not loyalty to the Crown; and the undersigned submit it should now cause no surprise if, impelled by these weighty considerations, they approach His Excellency in Council with profound respect and in the spirit of the constitution, but with equal firmness, and claim something more definite, immediate and practical than the full

\* Journals, N.B., 1871, p. 108. Report of Delegates, 1871, p. 41, Journals, 1872—Appendix.

† Report of Better Term delegates, 1871.

assurances given to the delegates of 1371. They do so, that they may assure the people at the coming meeting of the Legislature, in confirmation of the assurances of the past, that another Session of Parliament shall not be permitted to pass without the passage of a measure in aid of New Brunswick; or, on the other hand, that they may take counsel of the representatives of the people, and, for the present, exhaust every other constitutional means, by laying their protest and petition at the foot of the Throne of Her Most Gracious Majesty the Queen.

Sir, the claims of New Brunswick, it is submitted, have not been pressed a moment too early, or with any rashness or haste, or otherwise than in the most constitutional way. For many months they have been before the Privy Council, and it can scarcely be said that ample time has not already been given for a complete investigation and decision of the subject, and for the maturing of such measures as the circumstance of the case suggests and justice demands.

#### OPPOSITION TO THE CLAIMS.

The undersigned are not ignorant of the fact that opposition to the relief of New Brunswick has appeared in some quarters, and they are fully prepared to give that fact fair consideration. To the public utterances of that opposition the undersigned propose to direct your attention. It was thought, however, in 1867, in the language of the Hon. George Brown, that Confederation, if it went into operation, would place us all on an equal footing as British Americans, instead of being, as then, sectional provincialists with divided interests.\* But the whole scope of this opposition has been "sectional"—the idea fostered that the removal of the injustice to the "British Americans" of New Brunswick would be a wrong to their fellow citizens of the Confederacy, and that any pecuniary relief would be by draft upon the purse of the people of the other Provinces, rather than—to a great extent, at least—a return of some portion of the large tribute New Brunswick has paid to Canada, and will be held responsible for in the future. You will admit, Sir, that nothing more "sectional" and unjust, or so calculated to embitter the New Brunswick mind, could be suggested—except that denial of restitution by others which would be the practical adoption of such views.

It is a very significant fact, so far as the undersigned have been able to observe, and they have diligently observed all the arguments thus far made public, that in no one instance has any influential opponent pretended to contradict—less to disprove—the complete inadequacy of the funds available under the British North America Act and from local sources to answer even the present exigencies of the public service. This is quite remarkable; for it is useless to ignore the fact that this strange and sectional opposition to New Brunswick has been drawn substantially from untenable premises, and illustrated by alleged facts which are without any existence. But as to this most important point, on which also hinged the concessions to Nova Scotia, there is a marked unanimity of sentiment, where, it is true, it could not be otherwise, among those who have fairly investigated the matter.

#### THE ORIGIN OF THE UNION.

It is alleged again, that New Brunswick projected the Quebec scheme in order to obtain incorporation with Canada, and should not complain of the results! The history of Confederation directly contradicts this assertion. Every Imperial despatch, every letter of correspondence between the Provincial Governments, every speech in any of the Local Legislatures before 1867, every Minute of Executive Council, the records of the Charlottetown Conference, and every book of any authority, which touches this point at all or made public, amply proves that Canada, after years of vexatious political disquietude, sought the hand of New Brunswick, as the Dominion now solicits the co-operation of the colonies of Prince Edward Island and Newfoundland. Let the political history of the day be referred to, and it will be found, as has been amply demonstrated, that New Brunswick was peaceably and prosperously enjoying

\*Speech at Saint John, Sept. 14, 1864.



the benefits of independent legislation, a good credit abroad, remunerative public works and an easy exchequer at home, and was in conference with the other Maritime Provinces for the erection of a Union which should know not Canada.\* Let the official despatches of the Imperial Government, the despatches of Lord Monck and Governor Gordon, the memorandum of the Canadian Government and the correspondence upon the appointment of delegates to Charlottetown, and the speeches of the Canadian representatives to the Conferences of Charlottetown, Quebec and London, be examined, and this matter will be placed beyond controversy. The undersigned, therefore, respectfully submit that it is much too bad that New Brunswick should be taunted with having sought a Union which was pressed upon it, and should therefore be content with and thankful for the terms of its completion;—as it is equally severe to find its generous acceptance of and loyal submission to it misunderstood on the one hand, or made a barrier to its legitimate claims on the other.

#### THE ORIGINAL COMPACT.

It has also been alleged that New Brunswick was a party to the terms of the compact—that compact for ever sealed—and that its people rightfully have no redress. Reference has already been made to the opinion of Lord Granville, the action of Parliament, and the platform assurances on this subject. But it may with propriety be urged that the terms of Union agreed to are not the terms of Union adhered to. The better terms ceded to Nova Scotia, granted to Manitoba and British Columbia,† and offered to the outlying colonies, are clearly not according to the fundamental principles of the compact of 1867. It is true New Brunswick, by our system of government, may be said to be equally constitutionally responsible for them all. As a merely technical proposition, this is not without a certain degree of force; but as an answer to the claims of New Brunswick it is worthless. Take, for illustration, the number of the representatives of New Brunswick at Quebec and London, and compare it with its parliamentary representation in the Union, or with the number of New Brunswick representatives who voted for all these better terms. The simple assertion that each member of Parliament shall be held responsible for the organic action of Parliament is surely carried in effect too far, if it can be thus urged. By the force of the same reasoning each member of Parliament may be held liable for each vote of Parliament, whether he individually voted yea or nay—a proposition which contains too much, and which can scarcely be acceptable in its legitimate scope in any quarter. But, furthermore, if a Province must quietly submit to ruling of this kind, may not the same majority which increased the subsidy to Nova Scotia decrease that to New Brunswick, and hold the representatives of New Brunswick equally accountable? But, were it otherwise, or if New Brunswick did accept Union on terms since found inadequate to its case and disproportionate to its rights, shall there be no appeal from the error of the past, no relief from the penalties of “the bond,”—and shall the Government and Parliament recognize and establish the doctrine that neither the welfare of New Brunswick nor its attachment to the constitution is to be maintained or esteemed as of any importance to the State? The undersigned hope not, for history proves it is an old rule, as well of nations as of individuals, that a union or a “partnership”‡ so formed, and for a time continued, cannot long exist with happiness or proceed without rupture; for as the terms, at the first vexatious, become before long tyrannous and insufferable, so the cordiality, imperilled at the outset, in the early end becomes utterly destroyed.

But, clearly, the terms granted to the other Provinces are not the terms contemplated by the British North America Act; the people of New Brunswick have never passed upon the latter as they did upon the former; and both branches of the Legislature have unanimously required that *pro rata* concessions be made to them. But this claim is not only because others have received advances, but because, with

\*Rep. of Char. Conf.; Gov. Doyle's despatch, 10th April, 1864; Lord Monck, 30th June, 1864; Minute of Ex. Council of Canada, 23rd Sept., 1846; Rep. of “Better Terms” Del. 1871, p. 5.

†Rep. Com. Priv.; Coun. on Br. Columbia, sec. 10.

‡Mr. Langton in N. S. Correspondence.

as present arrangements, New Brunswick cannot proceed; and it is equally a fair position to assume that concessions to it shall be not only within the letter of the authority of Parliament, as already decided, but strictly in accordance with the true spirit of the constitution: that it may really "protect the diversified interests of the several Provinces, and secure efficiency, harmony and permanency in the working of the Union."\*

#### THE QUESTION AT THE ELECTIONS.

Again, His Excellency the Governor General in Council will doubtless have noticed the assertion made that the people of New Brunswick did not make better terms an issue and test of candidature at the last election for the Local Legislature, or at the recent general election for the House of Commons. What this really has to do with the original question the undersigned cannot perceive. But it is as well to observe at once that the assertion regarding the local elections is clearly devoid of foundation. Many of the candidates for the Provincial House publicly proclaimed themselves for better terms; the press, with few exceptions, took a similar position, and have all since unitedly endorsed the movement; and the best commentary on public opinion is the united and unanimous action of both branches of the Legislature, at the very first Session after the election.

The reference to the recent election for Parliament is also but partially true and quite delusive, and wherein it possesses any force is easily explained. In many counties of the Province the matter was largely discussed; in nearly all, if not all, it was generally conceded that the candidates were determined to enforce the claims of New Brunswick; and it is confidently asserted that, if any, very few representatives were returned who had not privately or publicly adopted this position. But there is a more important explanation. Bearing all these facts in mind, it is also to be remembered that hitherto the Legislature and people of New Brunswick have, by every means, sought for the discussion and settlement of these claims, apart from all party platforms and electioneering combinations. It continues very important to preserve this mode of procedure, if possible; but, Sir, if delay or a denial of justice is to be the only answer to their application, and no relief from their political difficulties is obtained in this way, no one should be surprised or complain if the people of New Brunswick seek or foster only those strictly party alliances as shall likely secure to them reasonable redress, and save them from direct taxation or political bankruptcy. And again: Before the election the people were officially assured that the results of the negotiations with the Privy Council of Canada were most satisfactory; that "the Canadian Government will exercise all its power and influence to remove every just cause of local discontent and disquietude, and to make the Government and the Legislature and the people of New Brunswick satisfied as to their financial relations with the Dominion;" and that, "giving full confidence to such repeated acknowledgments and assurances," the Better Terms Delegation of 1871 "felt warranted in reporting to the Lieutenant-Governor in Council that the Privy Council of Canada will adopt such measures for the relief of New Brunswick as shall be eminently satisfactory" to New Brunswick.† Moreover, the correctness of this report, which had then been many months before the Government, Parliament and people of Canada, never was authoritatively questioned or contradicted, throughout the public discussions before or consequent upon the election; and the people had a right to and did believe that the Ministers would have corrected this report, if erroneous, from their places in Parliament or from the hustings, seeing the position to which that report committed them and the confidence by it created in the public mind.

#### DIRECT AND MUNICIPAL TAXATION.

There is one other objection urged which requires notice. It is alleged, with an apparent show of earnestness, but with little force and without any fairness, that the Legislature of New Brunswick has the residuary power of raising money by means

\* Proceedings Quebec Conference, sec. 2.

† Report of B. T. Delegation, 1871, page 48.



of direct taxation, and should use it. Indeed, this has been urged in these very words: "Why, then, does New Brunswick not use her own powers, and take it from her own people? \* \* \* Let her make her governmental machinery more simple; let her, in proportion to her wealth and population, tax herself, as Ontario does now, and, like Ontario, she will have sufficient for her needs, and to spare, and she will have gained what is of more value than a subsidy—the habit of relying upon herself." The undersigned cannot but regret the temper of such appeals, too many of which have been circulated during the last few months. It were a thing easy to retort by once more showing the relative positions of Ontario, Quebec and New Brunswick, politically and financially, up to 1867; the large contribution New Brunswick annually takes from "her own people" and transfers to the Dominion treasury; that at this very time, while the receipts of the Dominion from the three great sources of revenue during the past four years—Customs, Inland Revenue and stamp duty—have averaged an increase of about 50 per cent., that for New Brunswick alone are upwards of 83 per cent.; that the income of her contribution of public works to the common stock is proportionately larger in excess of any other works in the Dominion; and, also, to show how most thoroughly the people of New Brunswick long ago educated themselves up to that "self-reliance" which had commanded for them a status happy, prosperous and contented when the delegates from Canada proposed the general Confederation. But it is said, nevertheless, resort to direct taxation; introduce municipal taxation; let your large investment in the Dominion treasury go to other people, and if you want money get it by putting your own hands yet deeper into your "own people's" pockets—a fatal commentary, truly, upon the financial arrangements of the constitution, and a sad illustration of the truth of the remark of Sir Alexander Galt, that "it is not a light thing for a people to trust their prosperity to others."\* Strangely enough, however, before Confederation, notwithstanding municipal taxation, the old Canadas never boasted of surpluses as now, reaching, between Ontario and Quebec, nearly \$5,000,000; and equally strange that the Lieutenant-Governors of these Provinces, on more than one occasion, have traced such exceptional prosperity to the direct influences of Confederation. Of this New Brunswickers by no means complain; on the other hand, they rather rejoice at it, as evidencing the general prosperity of the Dominion. But it does not seem to be known that, directly and indirectly, New Brunswick has been practically taxed in fair proportion to its wealth and population, to which taxation have been added, by confederation with Canada, the new species of impost devised by Parliament for Dominion purposes, in the nature of stamp duties, Excise, and newspaper postage, &c.; while at the same time one of the great and inexhaustible sources of wealth and fields of industry for its people has been legislated away from them in Imperial interests for Dominion benefit,† and the whole profit of which transfer will swell the funds of the Dominion Government—and all this, when the policy of the Empire and of the Dominion became involved, while the people of New Brunswick scarcely murmured! It has also been already shown that had it been governed by none other than selfish or "sectional" motives, and had remained out of the Union, and continued its own tariff, New Brunswick would have enjoyed a yearly surplus from its own resources over its own expenditures, and for the benefit of "its own people," of \$236,131 and upwards!—or, had the tariff been raised to the present Canadian standard, the Province being out of Union, no less than \$336,500 and upwards, annually!‡ while now it is paying more in to the Dominion than it receives by \$150,000, as in 1870,§ and is provincially drifting in arrear at the rate of \$50,000 per annum! a deficit which, if added to the accumulations of interest claimed by the Dominion, will reach nearly one-third of the boasted subsidy! And bearing this in mind also, take the *per capita* of the several Provinces in the Dominion. By the tables submitted in the letter of October, 1871, based upon the population of 1861, it appeared:—

\* Speech at Montreal, 29th October, 1861.

† The Treaty of Washington. ‡ Report Delegation, 1871, page 21. § *Ibid*, page 24.

Province.	Duties.	Population.	Per Capita.
*Canada—(Ontario and Quebec)....	\$7,262,987	2,507,657	\$2 90
Nova Scotia.....	1,133,344	330,857	3 43
New Brunswick .....	1,015,111	252,047	4 03

According to the Public Accounts for the fiscal year ending 30th June, 1871:—

CANADA—Ontario—			
Customs (P. Accounts No. 1, page 3).....		\$3,405,421	56
Excise (do 2 do 11).....		2,550,243	74
Stamp duties (do 6 do 23).....		155,099	45
		<u>\$6,110,764</u>	<u>75</u>

CANADA—Quebec—			
Customs (Accounts No. 1, page 5). ....		\$5,974,548	41
Excise (do 2 do 11).....		1,419,267	34
Stamp duties (do 2 do 23).....			67 86
		<u>\$7,393,883</u>	<u>61</u>

Population of Ontario, 1,620,842			
do Quebec, 1,190,505—2,811,347			
Per capita.....			\$4 80

CANADA—Nova Scotia—			
Customs (Accounts No. 1, page 7). ....		\$1,358,616	16
Excise (do 2 do 13).....		175,362	74
Stamp duties (do 6 do 23).....		16,097	01
		<u>\$1,550,075</u>	<u>91</u>

Population.....	387,800		
Per capita.....			\$3 99

CANADA—New Brunswick—			
Customs (Accounts No. 1, page 5).....		\$1,222,838	54
Excise.....		218,119	01
Stamp duties.....		11,879	98
		<u>\$1,452,837</u>	<u>53</u>

Population.....	285,777		
Per capita.....			\$5 08

And while these facts are borne in mind, and without unnecessarily multiplying figures, take, simply by way of illustration, and as corroborative of the value of New Brunswick's contributions to the Dominion assets, the railway accounts of New Brunswick and Nova Scotia—an enquiry which might be extended to other Provinces:—

#### †RAILWAYS—NEW BRUNSWICK.

Public Accounts, 30th June, 1871.

Deposited to credit of Receiver-General (Accts. Part 1, page 21).....	\$251,456	37
Working expenses (Accts. Part 3, page 44).....	170,583	71
	<u>\$ 80,872</u>	<u>66</u>

\* Report of Delegates, 1871, page 26.

† See also Report of Better Terms Delegates, 1871, page 18.



## RAILWAYS—NOVA SCOTIA.

*Public Accounts, 30th June, 1871.*

Deposited to credit Receiver General (Accts. Part 1, page 21).....	\$292,667 27
Construction account, charged to Consol- idated Fund (Part 3, page 40).....	\$ 50,405 69
Working expenses (page 41).....	272,409 60
	<u>322,815 29</u>
Deficit less than receipts.....	\$ 30,148 02
New Brunswick—Surplus...\$80,872 66	Capital....\$1,347,877 66
Nova Scotia—Deficit..... 30,148 02	do .... 502,466 00
	<u>Balance in favor of New Brunswick....\$1,850,343 66</u>

It may be objected that the items on construction account are improperly included in the foregoing statement; but if there can be any doubt on that point, it will be removed from the argument in the examination of the following:—

## NEW BRUNSWICK RAILWAYS.

1867-68.—Revenue . . .	\$166,758 42	
Maintenance . . .	131,684 97	
	<u>Surplus, \$35,073 45</u>	
1868-69.—Revenue . . .	177,829 42	
Maintenance . . .	126,149 71	
	<u>do 53,677 71</u>	
1869-70.—Revenue . . .	192,704 44	
Maintenance . . .	139,633 99	
	<u>do 53,020 45</u>	
1870-71.—Revenue . . .	\$251,456 37	
Maintenance . . .	170,583 71	
	<u>do 80,872 66</u>	
Accumulated surplus in four years .	<u>\$222,644 27</u>	
The average per annum being .	<u>\$ 55,661 07</u>	
Representing a capital of .	<u>\$927,684 50</u>	

## NOVA SCOTIA RAILWAYS.

1867-68.—Revenue .	\$247,220 98	
Maintenance	228,276 11	
	<u>Surplus \$18,944 87</u>	
1868-69.—Revenue .	\$260,285 25	
Maintenance	261,393 76	
	<u>Deficit . . \$1,113 51</u>	
1869-70.—Revenue .	\$269,659 12	
Maintenance	305,524 76	
	<u>do . . 35,865 64</u>	
1870-71.—Revenue .	\$292,667 27	
Maintenance	272,409 60	
	<u>Surplus 20,257 67</u>	
	<u>\$39,202 54</u>	<u>\$36,979 15</u>

Accumulated surplus in four years . . . . .	<u>\$2,223 39</u>
Average per annum . . . . .	<u>\$ 555 85</u>
Representing capital of . . . . .	<u>\$9,264 17</u>

To this exhibit, add the following :—

Expended on New Brunswick Railways during the same period :—	
Construction account . . . . .	\$60,900 77
Stores . . . . .	13,052 10
	<u>\$73,952 87</u>

Expended on Nova Scotia railways during the same period :—	
Construction account . . . . .	\$633,148 54
Stores . . . . .	51,204 44
	<u>684,352 98</u>

Excess of expenditure in Nova Scotia . . . . .	<u>\$610,400 11</u>
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The undersigned submit that it is unnecessary they should again guard themselves from any misapprehension of their intentions in submitting these tables; they are not impelled by any improper or unfriendly motive; but they do urge respectfully, that it is only fair to New Brunswick to meet the opposition urged to the relief of the Province by showing most conclusively from the public records that it is contributing thus handsomely to the Federal exchequer, and is suing for parliamentary concessions, not only because it is unable to meet its financial difficulties, but on the basis of strict and impartial justice; and this apart from the fact that services unprovided for in New Brunswick are maintained in Nova Scotia or elsewhere. The undersigned do not complain of these things, but they do complain if these facts do not receive fair consideration when the question of New Brunswick rights is subjected to discussion.

#### BRITISH COLUMBIA.

While on this point, Sir, it will probably answer a good purpose of illustration of the insufficiency of the present allowance to New Brunswick to refer to the subject of the expenditure, &c., in British Columbia. Confederation had received some trial at least when the delegates from British Columbia met the gentlemen of the Privy Council at Ottawa, to arrange the terms upon which that Province should be incorporated with the Dominion; and the Government and delegates had, therefore, the opportunity of examining how far the arrangements made with New Brunswick had answered the intentions of the London Conference. They had also the fact that Nova Scotia\* required more than the British North America Act had provided for its purposes. One of the delegates from, and now Lieutenant-Governor of, British Columbia, had frankly declared "that it was simply impossible to proceed according to the strict terms of the British North America Act."† Let the results of the negotiations as to British Columbia be examined in comparison with the results of the British North America Act as to New Brunswick; and, taking the respective ages, wealth, population, contributions to the Dominion, geographical position, &c., into consideration, fair to both Provinces, see how much New Brunswick would require and be entitled to as measured by the requirements of British Columbia. The undersigned do not import into the discussion the building of the Pacific Railway, or the immense direct and indirect benefit thereby to accrue to British Columbia; nor do they, by any means, now question the propriety of the final arrangement. It was eminently proper that British Columbia should be amply provided for, in just ratio with the other Provinces; and conceding, for the sake of the argument, that this only has been done, deduce how manifestly unjust the British North America Act must be to New Brunswick.

\* 33rd Vic., cap. 2.

† Speech at Ottawa, 10th April, 1871.



The three following items are selected from the estimated expenditure for the year ending 1872:—

Civil Government—

Lieutenant Governor's Office . . . .	\$2,152 00	
Colonial Secretary's Department . . . .	7,640 00	
Printing branch . . . . .	3,220 00	
Audit branch . . . . .	1,600 00	
Treasury branch . . . . .	3,392 00	
Registrar's Department . . . . .	1,940 00	
Lands and Works Department . . . . .	10,485 00	
Attorney-General and Clerk . . . . .	5,100 00	
Clerk Executive Council . . . . .	1,600 00	
Legislation . . . . .	13,350 00	
		\$50,479 00

Education—

Aid to district schools . . . . .	40,000	
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Works and buildings—

Government houses, public buildings, &c. .	\$23,000 00	
Repairs public roads . . . . .	140,450 00	
		163,450 00
		<u>\$251,989 00</u>

Or again, it will be found the total expenditure in British Columbia is estimated for the year ending 31st December, 1872, at . . . . . \$505,435 00

While the estimated expenditure for New Brunswick was contracted to . . . . . 472,902 00

In favor of British Columbia . . . . . \$32,533 00

Because, unlike British Columbia, no adequate provision could be made for "charitable allowances," "public buildings," "literary institutes," &c., &c.; indeed many important improvements of an emergent character, now neglected in New Brunswick, have been amply and properly cared for under the arrangements concluded on the admission of British Columbia into the Union. The appropriation for the road service alone in that Province is placed at \$140,450, as will be seen above.

The appropriations by the Dominion of Canada for British Columbia for 1872-73, will be interesting in this connection:—

Salary of Lieutenant-Governor . . . .	\$ 8,000 00
Salary of Auditor . . . . .	5,000 00
Supreme and county court judges . . .	29,500 00
Administration of justice . . . . .	10,000 00
Expenses collection revenue . . . . .	20,000 00
Mail service—ocean and inland . . . .	104,000 00
Lighthouses—construction and main- tenance . . . . .	25,500 00
Telegraph—subsidy and maintenance . .	29,000 00
Blasting Sister Rock . . . . .	7,000 00
Marine expenses . . . . .	2,000 00
Inland Revenue expenses . . . . .	2,000 00
Victoria dredger expenses . . . . .	10,000 00
Steamer "Sir James Douglas" expenses .	20,000 00
Building Custom house and post office, Victoria . . . . .	25,000 00
Building marine hospital . . . . .	20,000 00

Preliminary surveys for penitentiary	5,000 00	
Indian affairs . . . . .	20,000 00	
Militia equipments, stores and expenses	30,000 00	
Grant towards immigration . . . . .	5,000 00	
		<u>\$377,000 00</u>
Subsidy under Union terms . . . . .		214,000 00
Interest saved and sinking fund . . . . .		120,000 00
		<u><u>\$711,000 00</u></u>

It may be observed that while New Brunswick is alleged to have become indebted to the Dominion in the sum of \$33,000 and upwards on interest account, British Columbia is receiving from the Dominion \$120,000 on the same item.

The probable receipts from Customs, in British Columbia, now collected by the Dominion Government, is placed at . . . . .	\$ 300,000 00
In New Brunswick it has been shown to be, not including excise and stamp duties* . . . . .	1,222,834 54
	<u>\$922,838 54</u>
In favor of New Brunswick . . . . .	
Add—Excise . . . . .	\$218,119 01
Stamps . . . . .	11,879 98
	<u>229,998 99</u>
Say . . . . .	<u><u>\$1,152,837 53</u></u>

And it may not be improper to remark the following differences :—

	New Brunswick.	British Columbia.
Lieutenant-Governor . . . . .	\$ 7,000 00	\$ 8,000 00
Administration of justice, judges, &c. . . . .	30,000 00	39,500 00
Militia, say . . . . .	24,595 78	30,000 00

And in many items similar proportions. But this enquiry need scarcely be prolonged.

Certainly, those who would add further taxation to New Brunswick, taking all these circumstances into consideration, should be convinced that New Brunswick has made sufficient sacrifice for the sake of the constitution, and does not deserve a further infliction in lieu of parental consideration. But thus far they have studiously ignored, or are ignorant of, the large labor tax imposed upon the people.

#### STATUTE LABOR IN NEW BRUNSWICK.

Let them consider the statutory system of road labor;† the actual payment by the people of hard work upon the highways, partially in lieu of money, and by allowing a fair estimate of wages for this work—a direct tax itself—and to that add the taxation on property for road work under this law upon the farm lands, alone estimated, in 1861, at 3,787,524 acres, and valued at \$31,169,946,‡ and the local taxation already assessed, and even they will see the impropriety of advising a further draft upon the people's pocket. That those not acquainted with this subject, or the law relating to it, may understand them, reference may be made to the following sections of the law :—

“All the public roads, streets and bridges of each county shall be cleared, maintained and repaired by the male inhabitants thereof, being twenty-one years of age and upwards, except ministers of the Gospel and licensed schoolmasters employed as

\* *Ante.*—And Public Accounts, No. 1, page 5.

† Stat. N.B., 25 Vic., chap. 16, secs. 15, 16.

‡ Census of N.B., 1861, page 8, letter of Oct. 2. 1871.



such, not having property liable to assessment, and emigrants from Great Britain and Ireland arriving within the year the assessment is made, who shall work either in person or by sufficient substitutes in such year, with such implements as the surveyors shall direct, the number of days, eight hours' actual labor to each day, as follows, viz:—All persons of twenty-one years of age and above, three days, and for any real or personal estate he may possess, not exceeding \$400, one day; exceeding \$400 and not exceeding \$1,200, two days; exceeding \$1,200 and not exceeding \$2,000, three days; and so on in like manner for every \$800 one day additional for any real or personal estate he may possess, not in the whole to exceed thirty days in any one year; and for every \$800 of real and personal estate over and above such sum as will, together with the three days' poll-rate, make thirty days, the owner of such property shall be taxed at the rate of 50 cents for every \$800, which shall be paid in money. All divided or undivided estates of females and minors shall be assessed in the same ratio as the estates of residents: Any assessment on the property of females and minors may be paid for in labor by substitutes."

This Act, also, extends to keeping open and protecting the roads, &c., of the Province throughout the winter season by the imposition of four days additional work upon every taxable individual, with or without teams, &c., as occasion shall render necessary, and whenever the surveyor may require; and, as a study of its provisions will at once show, this law involves a very large provincial taxation, which it is almost impossible wholly and accurately to reduce by arithmetical calculation to a money equivalent. Throughout the Province this law is enforced—in some counties and districts probably more severely than in others, but in all of them to an important extent, and universally as fully as before Confederation.

And this is not, be it remembered, at all connected with the annual provincial grants of \$65,000 for the bye-road service; of \$38,000 per annum for the maintenance of upwards of twenty-five miles of bridges on the great road establishment; and the cost of maintaining 2,331 miles of great roads.\* Let it be borne in mind, moreover, that the common school system of the Province is now based upon the principle of direct assessment; that many other taxes, municipal in their character, are borne by the people; and it will be admitted that the direct and indirect taxation of so young a Province, with so large a territory and yet so sparsely settled, with settlements scattered over a large portion of it, as New Brunswick, and "in proportion to wealth and population," for Canadian, provincial, civic, town and parish purposes, will compare with the whole taxation of any other Province in the Dominion.

#### THE ACTION OF PARLIAMENT.

But whether this point be conceded or not, surely New Brunswickers have a right to reply, that without any new system of taxation, provincial or municipal, the machinery of Government worked smoothly and efficiently, and the Province enjoyed ample means for public works, and an annual surplus of income over expenditure up to 1867. Whence the change since that time? And the undersigned conclude this branch of the discussion by once more respectfully directing the attention of His Excellency the Governor General in Council to the opinions promulgated by the Government on the subject of Nova Scotian affairs, and accepted by a majority of Parliament, and condensed thus:—

† "That it will be the care and wish of the Government and Parliament of the Dominion, to relax or modify any arrangements which may prejudice the peculiar interests of Nova Scotia and the maritime portion of the Dominion. \* \* \* The Canadian Government is not only ready, but anxious, to enter upon a frank and full discussion of those points, and are prepared, in case the pressure of taxation should be shown to be unequal and unjust to Nova Scotia, to relieve that pressure by every means in their power."—[Sir John A. Macdonald] "Nova Scotia disclaims any desire to seek financial concessions which are not warranted on grounds of strict justice, or any modification of the original terms of Union which would place Nova

\* Sessional Papers of Canada, 1869, vol. 2, No. 3, Paper 8, Appendix 23.

† Nova Scotia Correspondence.

scotia otherwise than on a footing of equality with the rest of the Dominion, or beyond what would enable the Province to meet the expenditure indispensably necessary to carry on its local affairs without having recourse to a system of taxation new to its inhabitants, and to which neither of the other Provinces is required to subject its people. \* \* \* It is further urged that notwithstanding the increase on her burdens the total amount received by her from the Dominion treasury and from the Provincial sources of revenue and the assets reserved to her, fall far short of what she formerly had, and are less indeed than is necessary to carry on the Government, and provide for the local services which the constitution has assigned to her. From the statements thus adverted to it would seem to follow: \* \* \* 6th. That the local sources of revenue at present possessed by Nova Scotia are inadequate to carry on the service devolving on the Province."—[Sir John Rose.] "The final point which is discussed in Mr. McLelan's letter is a most important one for Nova Scotia, and is indeed the basis of the whole question between us, viz: has Nova Scotia the means of carrying on the necessary local expenditure, without having recourse to direct taxation, or some other means of raising the requisite revenue, over and above what it will have to contribute towards the General Government. \* \* \* The statement appears to me to be conclusive as to the impossibility of Nova Scotia carrying on its ordinary expenditure under the present terms of Confederation, without resorting to direct taxation, or throwing the burden of education and local works, partially, at least, on the municipalities. It is true that this is largely done by Canada proper, and that without the municipal taxes its local expenditure could not be kept up to its present amount: but a Nova Scotian may well answer that their provincial revenues were enough for their wants in this respect without having recourse to municipal taxation."—[Mr. Auditor General Langton.]

#### THE TEN YEARS' SUBSIDY.

Consequent upon its exceptional position and difficulties compared with those of other Provinces, the British North America Act provided for New Brunswick a subsidy of \$63,000,\* for ten years, from 1st July, 1867. It is submitted the exceptional state of things will not be changed in 1877, but the basis on which this subsidy was granted will continue to exist. Again, it was not considered, in 1867, that the same grounds for the granting of this subsidy obtained in Nova Scotia; nevertheless, it soon became necessary to provide a ten year subsidy for that Province, and \$82,693 annually, from 1st July, 1867, were granted. *A fortiori*, the grant of \$63,000 to New Brunswick, in its exceptional circumstances, cannot be sufficient. The undersigned do not complain of this grant to Nova Scotia—they refer to it only as proving from a Dominion standpoint the insufficiency of the grant of \$63,000; for if, in 1867, it appeared that New Brunswick, for the reasons aforesaid, was entitled to \$63,000 more than Nova Scotia, they cannot understand how, in a few months afterwards, Nova Scotia became entitled to \$19,693 more than New Brunswick. Did the exceptional circumstances disappear in New Brunswick and appear in Nova Scotia? Or if, as it is conceded, it requires a subsidy of \$82,693 to do justice to Nova Scotia in her unexceptional position, what subsidy does New Brunswick require in its exceptional situation?

As the undersigned hope that it shall not be necessary again to trespass upon the attention of His Excellency in Council, they feel it their duty to refer to two matters, one not yet submitted to him. These are—the subject of "public health," and "The Albert County Railway." The latter was referred to when the delegates of 1871 had the honor of a hearing before the Privy Council; the former is yearly becoming a subject of intense interest, and a heavy burden to New Brunswick.

#### PUBLIC HEALTH.

It is submitted, Sir, that the time has arrived when this charge should be taken off New Brunswick, and the maintenance of the public health of this Maritime Pro-

\* B. N. A. Act, sec. 119.



vince fall upon the Dominion Government. Indeed it is suggested that under the British North America Act the irresponsibility of the Dominion is by no means clear. Distinctively, the British North America Act is strangely silent on the subject, and it can scarcely be sustained that the general reference to the exclusive power of the Local Governments over "generally all matters of a merely local or private nature in the Province,"\* helps the matter out of the ambiguity of the Act. It surely cannot be called a merely "local or private matter" the prevalence of epidemical and contagious diseases in this seaboard Province. It is a well established fact that the origin of contagious disorders in the seaports of New Brunswick has invariably been found to have been in or with persons who came from beyond the legislative and territorial jurisdiction of the Local Government by sea or rail, and who, unless discovered, either through ignorance or designedly, carried the infection into the interior. Take the cases discovered first at St. John, St. Andrews, St. Stephen, Caraquet, &c. This importation of sickness has almost always been from the United States. To the subject of maintaining the public health, therefore, is at once obviously added the whole management, extent, duration and discipline of quarantine, and must involve legislation affecting the other Provinces and other nations, and which is far beyond the jurisdiction of the Local Legislature. It is manifest that any stringent legislation, at least beyond mere internal arrangements, to prevent a spread of the disease after it has gained a foothold, must touch coast service, commerce, quarantine, inter-provincial rights, and the laws of nations. It is far from sufficient, as has been most painfully proved, that the Dominion Government should merely exert its protection up to the time when the diseased passengers, with or without the knowledge of the authorities, have landed,† probably with the disease undeveloped, but in its incipient stages, and beyond the reach of any mere inspection—and when the public danger has only really commenced, and then throw them on the care of the Province. More than that: have not this divided liability and conflict of power produced confusion, disquietude and insecurity when the danger was most imminent? or, can the public health be adequately guarded under such a distribution of power and responsibility? True, the staying of the disease is of immense importance, but New Brunswick has no power to prevent its importation, which is of importance far greater; and once introduced through inefficient or insufficient quarantine regulations or inspection, an enormous cost devolves upon the Province. Why, therefore, should New Brunswick bear the burdens entailed by the importation of contagious sickness, simply because the diseased have eluded the vigilance of the Dominion authorities, and when the Province has practically no power to protect itself?

The only power of prevention of any value vests in the Dominion; possessing that power it should bear the burden, if it inadequately or unsuccessfully use it; or, if the public health is to be the care of the Local Government, it should have the full power to deal with it, and to pass such legislation as to quarantine, inter-communication and collateral subjects, as will secure at least some exemption from danger. This subject, as at present, is therefore of importance as showing the heavy and increasing charges which fall on the Local Government, and for which they are unable properly to provide. During the years 1871 and 1872 the expense entailed by the existence of small pox, imported directly from abroad, nearly reached the sum of \$8,500; and at the present time heavy expenses are falling upon the Government in view of the existence of that disease in several parts of the Province, clearly brought to New Brunswick by sea and overland routes, utterly beyond the reach of local legislation.

With equal force do these observations bear upon the maintenance of the Lazzaretto at Tracadie, in the County of Gloucester, which, it is submitted, should have been under the charge and maintained at the expense of the Federal Government since 1867; or failing that, is in itself another evidence, not before referred to, of the large drafts upon the small income of the Province. The history of this institution is one of great interest—the disease, entirely of an exceptional character in the

\* British North America Act, sec. 92.

† Dominion Statutes.

minion—claimed by some and denied by others to be contagious—and the care of which should certainly not be thrown on the Province alone. It will be found, Sir, in the report of the secretary of the Board of Health of Northumberland and Newcastle, and the medical gentleman who recently visited the establishment especially, that the Lazaretto now cannot accommodate the large number of lepers in the neighborhood, and that several lepers are now outside the institution and its discipline—certainly to the great risk of surrounding communities, if the disease is of contagious type. Dr. Lewin states that “the building is by far too small even for a number now in it, which is twenty-one, and he understands there are between fifteen and twenty-five outside, who are laboring under the disease. Hence the advisability of having the building either enlarged or a new one built.” The Lazaretto is at present under the management of the Board of Health, while its internal economy is judiciously regulated by Sisters of Charity of the Hôtel Dieu, Montreal, whose treatment of the afflicted in the Lazaretto has elicited the warmest praise from those who, from time to time, have reported upon the subject, and on the various distressing duties they have imposed upon themselves. By a carefully prepared estimate, not less than \$16,000 are found to be necessary to provide sufficient accommodation for these lepers, and to hold the disease in check; and not less than \$5,000 are absolutely required to meet the ordinary annual expenditure for maintenance, medicine, professional service, salaries, &c. It is beyond the power of the Local Government to provide for the erection of such buildings, and for the further improvement of the economy and management of the institution by such an outlay of money; and, it is submitted, therein lies another irrefutable argument in favor of the better treatment of New Brunswick by the Dominion. Stronger than even this is to claim that peculiarly this branch of the public health department of New Brunswick, from the peculiarities which surround this exceptional disease, should be assumed by the Federal Government, and generally that the great Dominion interest in the protection of the public health of the subjects of the Confederation, from contagious diseases introduced into the seaports of New Brunswick from beyond its provincial boundaries and the jurisdiction of its legislation, should belong to the exclusive powers of the General Government and be a charge upon the general revenue.

#### THE ALBERT COUNTY RAILWAY.

Passing to this subject, as affecting the Province of New Brunswick with the Dominion on the one hand, or the future of New Brunswick alone on the other, the undersigned would remark, Sir, that it must be borne in mind that the large debt of New Brunswick has arisen wholly from public works, the construction of which had been provided for by the various Acts of the Local Legislature, passed prior to the Union.

When the debt of New Brunswick was placed at \$7,000,000 it was supposed that that sum would be ample to meet all the liabilities of the Province that could possibly accrue from engagements to which the faith of the Province was then pledged, but such has not, in point of fact, been the case; for not only had the sum for these works, on the 30th June last, according to the Dominion accounts, amounted to \$677,000 in excess of the \$7,000,000 of debt at which New Brunswick concluded to enter the Union, but the large and important undertaking of the Albert County Railway, involving an expenditure, by way of subsidy, of \$350,000 or thereabouts, has not yet been constructed.

As to the liability for this subsidy, there is at present some difference of opinion between the Dominion and Provincial Governments; but it may fairly be urged that it is one for which New Brunswick, at all events, must make provision.

It was referred to when the subject of Union was before the people of New Brunswick, as a portion of the debt which Canada was to assume for New Brunswick, it being then clearly and distinctly stated that all the liabilities for railway construction, of which this is one, would be covered by the obligation imposed on the Dominion Government by the British North America Act.



The undersigned are aware that some doubt has been expressed as to the obligation of the Dominion Government in the first instance to meet this subsidy; but they would respectfully urge that a careful review and consideration of the position of the matter, and the legislation of New Brunswick prior to the Union, ought at once to dispel any such doubt.

The Act of 27th Vic., chap. 3, passed by the New Brunswick Legislature on the 11th April, 1864, provided for a provincial bonus of \$10,000 per mile for no less than seven distinct lines of railway, of which the Albert County road was one; and it is here important to note that this Subsidy Act had no limit of time within which any company possessing sufficient capital and offering to construct any of the lines subsidized could come in and avail themselves of the facilities it held forth for the building of the various lines specified therein.

So long, then, as this Act remained unrepealed, any company then or thereafter to be incorporated, for the building of any of the lines mentioned in the Act, could look forward to the securing of such subsidy, and it would, by the very terms of the Act, be the duty of the Governor in Council to consent and agree with such company for the building of their line, the only requisite on the part of the company so offering to construct being the possession of sufficient capital for the purpose.

As the Act had therefore no limit of time within which any company offering to construct any of the lines could come forward with their offer to do so, it will, the undersigned think, be readily admitted that a company might be organized for the purpose two years after the passing of the Act—and if two, why not five years or ten years afterwards; in fact, why not for as indefinite a period thereafter as the Act remained unrepealed?

It is true that the Legislature of New Brunswick might have repealed this Act so far as it related to all or any of the subsidies, but as they have not done so, can it be fairly argued that after the Union of 1867 they were bound to do so because up to that time no company had made to the Governor in Council an offer to construct any of the lines mentioned in the Act?

It does therefore appear to the undersigned that the Act of 1864 imposed, from its enactment, a liability upon the Province, in other words, created a debt; which debt, however, it is true, would not become payable until a company possessing sufficient capital had made an offer to construct such line.

On the 17th June, 1867, the Provincial Legislature passed an Act whereby they provided that the provincial aid mentioned in the Act of 1864 as given to the Albert Branch, mentioned in that Act, should be given towards the construction and completion of a branch line to connect the European and North American Railway with Hillsborough or Hopewell, in the County of Albert, at such point in either of such parishes as might be deemed most desirable or advantageous in the interests of the company undertaking to construct the same; thus effecting changes in the route of this branch, but by no means relieving the obligation imposed by the Act of 1864.

This being the state of this railway matter at the date of the Union, the undersigned would respectfully submit that the obligation for the subsidy being in full force at the Union, and the Act relating thereto still remaining in full force, it is competent now for any company to make an offer to construct the work, and that thereby the liability or debt created by the Act of 1864 would become payable; and that the fact that the assent of the Governor in Council for the construction of the work has been given since the Union, cannot affect the Dominion liability, inasmuch as the power under which such consent has been given was in existence at the Union, the Governor in Council in now so assenting being merely performing a duty imposed upon them prior to the Union, and the circumstance that they were not called upon to exercise such power till after the Union ought not to alter the bearing of the matter.

If it were otherwise, manifest injustice might be done to the Province; for, if all the obligations imposed by the Act of 1864 had remained unaccepted at the Union, and the day after offers had been made by companies possessing sufficient capital to construct the seven different lines mentioned in the Act, it would have been the duty

the Governor in Council to have consented and agreed to the building of such lines, and thus what was intended and understood in the great scheme of the Union to be a Dominion responsibility would, in effect, have become provincial indebtedness, something that was never contemplated by any of the parties to the Union.

The undersigned are aware that it has been urged that if the Legislature of New Brunswick were now to incorporate a company to build this branch line, that by such act they could not impose a liability upon the Dominion Government; but they respectfully urge that the mere passage of such Act of incorporation would not *per se* impose the liability, because the liability was already imposed by the Acts passed before the Union, although the effect of such legislation might be to create a body who could ask to have the full benefit of the subsidy under such Acts.

If the faith of the Province of New Brunswick was pledged at the Union to give the aid of \$10,000 per mile to the branch line, it does seem unreasonable, if not unjust, for the people of Albert County now to be told that Dominion responsibility or the obligation has ceased, simply because no company has yet availed itself of the provisions of the Act, when the Act itself fixed no limit of time within which any company was obliged to come forward and offer to construct such railway.

#### RECAPITULATION.

Before the undersigned submit a statement of the requirements of the Civil Service in New Brunswick, they may group a few of the preceding facts, and of those presented in 1871, together, as a *resumé* of the whole argument:—

#### *In Confederation—*

New Brunswick pays into the Dominion annually a large sum over the amount it receives from Canada;\*

The *per capita* on duties, &c., in New Brunswick, is larger than in Ontario and Quebec, or Nova Scotia;†

The public works of New Brunswick are the most profitable of any of the Dominion, and are yearly largely increasing their returns to the Federal Government;‡

The revenues in New Brunswick contributed to the revenues of Canada during the last four years will be found to have increased 83 per centum, while the average increase in the Dominion for the same period will not exceed 50 per cent.;

In proportion to wealth and population, New Brunswick is now subject to an aggregate of direct and indirect taxation equal to that of any Province of the Dominion.

#### *Again—*

New Brunswick possessed, at the close of the provincial fiscal year, October, 1867, a surplus of \$214,000;

Has reduced the expense of Local Government and legislation upwards of \$5,000;

Has received, as the purchase money of certain railway iron, &c., &c., belonging to and sold by it, and for immigration purposes, nearly \$100,000, which were added to the general income;

Has economically appropriated the public funds, and only for services of an emergent nature;

Has drawn largely upon capital, in the nature of sales of the public domain, &c.; Has been unable to embark in improvements which are absolutely necessary, or to devote anything near an appropriate amount to the development of the resources of the country; and

Has given a most generous political and pecuniary support to the constitution, and willingly made many great sacrifices in the interests of the Empire and Dominion.

#### *And the Result—*

New Brunswick has been compelled to exhaust the above \$214,000, in addition to income from Canadian and provincial sources;

\* Report Delegates, 1871, page 17.

† *Ante*, page 8.

‡ *Ante*, page 9.



Is falling in arrear at the rate of \$50,000 per annum ;

If the claim of the Dominion Government shall be found tenable, is already indebted to the Dominion on interest account \$83,133.33, and this interest is annually accumulating ; in which case, also,

If the subsidy to the Albert Railway is a correct charge upon the Province, then by adding the principal of the debt, \$677,000, claimed by the Dominion as excess over \$7,000,000, to the subsidy, the Dominion will claim interest on this excess—say \$50,000 more interest per annum ;

That a large and unforeseen additional charge upon the local revenue of \$14,500, annually has been created, in consequence of Dominion legislation on penitentiary discipline ; \*

In 1877, under the terms of The British North America Act, \$63,000 will be wholly and for ever withdrawn from the Province ; and

New charges, increasing expenses and large demands are naturally arising in the course of government and public affairs ;

*And all notwithstanding—*

That before Confederation New Brunswick was able comfortably to provide for all the requirements of the public service, to maintain a good credit abroad, and foster and develop the resources at home ;

To exhibit an excess of yearly income over the expenditure ;

And, had the Union not been accomplished, would have secured a surplus of upwards of \$336,000 in the public treasury,† under the present rate of the Canadian tariff, or under the New Brunswick tariff of 1866, \$236,131.19.‡

#### PRESENT REQUIREMENTS.

Concluding this whole matter for the present, the question may be asked, Sir, what does New Brunswick require as better terms ! Partially the undersigned may reply :—

As to the matter of public health and the Albert County Railway—the assumption of them by the Dominion Government, and also the repeal or modification of the action of Parliament on the subject of the Province penitentiary ; § or, for the latter, adequate compensation and provision for the pecuniary wrong done by that legislation ; and on account of the former, an allowance of money in making up the aggregate concessions to be granted.

It will be perceived that these three items are placed by the undersigned separate from other matters, and in an alternative way ; for they are not purely claims for better terms *per se*, but arise collaterally out of the subject, as showing the moral or legal liability of the Federal Government on the one hand, or the utter inability of the Province to maintain them with its present subsidies, on the other.

Passing from them, the undersigned submit—

That the debt under the allowance of which New Brunswick was asked to go into Confederation shall be increased to the sum of not less than \$8,038,411.

That interest from 1st July, 1867, be allowed New Brunswick upon the balance, so long as the public debt does not actually reach that sum, and at the rate of 6 per centum per annum, as to Nova Scotia ;

That, as will logically follow, the disputed claim for interest made by the Dominion, and which the Province has always resisted as not properly chargeable, pending the adjustment of the accounts, be relinquished ;

That the subsidy of \$63,000 be made perpetual, as originally asked for in the Conferences of Quebec and London ;

That the grant for legislative purposes to New Brunswick be made equal to the grant for the same purpose made to Nova Scotia ; ||

\* Dom. Stat. 33 Vic. chap. 30 ; Rep. of Delegates, 1871, page 9.

† B. N. A. Act, sec. 119.

‡ Report Delegates, 1871, page 22.

§ Dom. Stat. 33 Vic. cap. 30.

|| B. N. A. Act, sec. 1-18 ; Rep. of Delegates, 1871, page 28.

That a deduction of 10 per cent. be made in favor of New Brunswick on the savings bank account ; \* and

That the *per capita* subsidy of 80 cents be estimated without limit to a population of 400,000 ; †

These, if accompanied with an equitable settlement of the unadjusted accounts of the Dominion with the Province ; a fair allowance for the abolition of the export duty consequent on the ratification of the treaty of Washington ; the expenditure in New Brunswick for public works, &c., of an amount equal to that expended from time to time in the other Provinces ; and the placing of the judges of the Supreme Court upon salaries equal to those enjoyed by their brethren in the other Provinces of the Dominion, would, for many years to come, not only meet the legitimate monetary requirements of the public service, and enable the Province, by economy and industry, to embark in necessary provincial works and improvements, but would also place it somewhat on an equal footing with the other Provinces of Canada.

The undersigned are deeply sensible of how largely they, and the delegates of 1871, have trespassed on your consideration, and that of the Privy Council ; the immense importance of the subject is their only justification. They humbly present these facts and views for the action of His Excellency the Governor General in Council, and sincerely trust you will be able to authorize the Government of New Brunswick to communicate to the Legislature, at the approaching Session, the final answer of His Excellency in Council. The undersigned respectfully assure you, Sir, that further delays, if not attended with disastrous consequences, must be exceedingly embarrassing as to the future course the Legislature should pursue. They assure you, furthermore, that already an anxiety prevails lest the report of the delegates of 1871 may prove to have been too sanguine, and the hope of relief to have been without foundation. On every view of the case, therefore, they may add the hope that the further answer of the Privy Council will be of such a favorable and practical and decisive nature as shall immediately reassure the whole people, and precede the introduction of such a governmental measure of parliamentary relief as shall remove every ground of complaint and agitation, and firmly and heartily attach this Province to the Confederation of which it forms so important a part.

With the highest consideration, and anxiously awaiting the earliest decision of His Excellency in Council,

We have the honor to be, Sir, your obedient servants,

R. YOUNG,  
JNO. JAS. FRASER,  
BENJ. R. STEVENSON,  
WM. WEDDERBURN.

No. 2.

Hon. the Secretary of State, Ottawa.

The undersigned, delegates from the Government of New Brunswick to the Government of the Dominion, beg to submit that New Brunswick is entitled to have passed to her credit, on debt account, the sum of \$150,000 with which she is now charged by the Dominion in connection with the railway known as Eastern Extension, from Painsec Junction, on the European and North American Railway, to the Nova Scotia boundary, for the following considerations :—

In the years 1868 and 1869 negotiations were had between the Local and Dominion Governments, and, as the result thereof, the latter paid to the former the sum of \$894,000 as the price or value of this Eastern Extension Railway, out of which New Brunswick had placed to her credit on debt account \$250,000.

Although the New Brunswick Government then accepted such amount, it was felt by her Government and people that full justice in the matter had not been done

\*Can. Accts., III, page 16 ; Report Finance Minister in N. S. correspondence ; Can. Accts. III, page 18 ; Report Delegates, 1871, page 26.

†B. N. A. Act., sec. 118.



to her, inasmuch as any payment made from which New Brunswick did not receive the full amount advanced by her towards the construction of this work was an arrangement to which, on strictly equitable grounds, she ought not to have been called upon to submit.

The undersigned do not deem it necessary to refer at any great length to the correspondence which passed between the Nova Scotia and New Brunswick Governments and the Imperial authorities previous and preparatory to the commencement of this work, in connection with the line from the Nova Scotia boundary to Truro, as part of the Intercolonial Railway, as such correspondence was, in the years above referred to, fully brought under the notice of the Dominion Government; but they would observe that it was matter of notoriety that this work was, with the full understanding on the part of the Imperial Government, undertaken by New Brunswick as a part of the Intercolonial, and that whenever the Imperial guarantee for the whole line was obtained the Province had clearly the right to demand that the money which she had advanced in aid of the construction of that road should be refunded out of the guaranteed loan.

The undersigned are aware that reasons were urged for the allowing to New Brunswick only \$894,000 for the work, some of which may be stated to be: That the line was some six or seven miles longer than was necessary; that to pay more per mile than \$24,000 would be unfair to the Dominion, seeing that the contracts for portions of the Intercolonial, similar in character to this work, were let for about that figure; that although this road cost very much more than the sum named, yet such expenditure arose in part from the fact that the rails were of extra weight and the bridges of iron, and the road generally of a character superior to the contemplated Intercolonial, and that the Dominion ought not to be required to pay in excess of what a road similar to that being constructed under their original scheme would cost. Now, as this Eastern Extension was a line that fairly came within the terms of the correspondence between the New Brunswick and Nova Scotia delegates and the Imperial Government, just previous to the work being undertaken, and as the location from Truro to Painsec Junction was approved by the Government and people of both these Provinces, they conceive it would not be in the power of the Dominion Government—upon those principles of fair dealing which are peculiarly applicable to all transactions of public concern—to ignore the selection made by the only parties at the time capable of making it, and to build another and a rival line if they chose.

Had any other position been taken in London when the delegations from all the Provinces were arranging the terms of The British North America Act, it is clearly the opinion of the undersigned that the adoption of the line in question as part of the Intercolonial, would have been settled beyond doubt, and it would have been made a condition expressed—as it certainly was implied—of the giving of the Imperial guarantee for the construction of the Intercolonial. To say that the Dominion Government could, after the 1st of July, 1867, select an entirely different line for any two or five or twenty miles of the Intercolonial between Painsec and Truro, to the money prejudice of New Brunswick or Nova Scotia, would be to say that they could for the whole distance have built a rival line—it might be only a mile or two distant therefrom—and thus have caused both Nova Scotia and New Brunswick to have absolutely lost all the moneys they had expended in this work; and in the opinion of the undersigned this would have been considered such an injustice to these Provinces that the Imperial Government would have expressly insisted on the taking of this section of the road as part of the Intercolonial, as a condition of the giving the guarantee.

Again, the only reasonable interpretation of the promise made by the Imperial authorities was, that pending the resumption of negotiations for the construction of the Intercolonial, and the final arrangement of the question, each of the Maritime Provinces had a right to locate and build any portion of the road within its boundaries. Therefore the Eastern Extension was as much a part of the Intercolonial as if it had been located by the Dominion Government; and if any change were made in location it ought not to be so made to the prejudice of the exchequer of either of those Provinces.

As a matter of fact, the undersigned cannot admit there was any extra length of time, when all the reasons which are generally taken into consideration in the building of any such large and extensive work as the Intercolonial are considered.

The northern section of the line having been made to touch at Moncton, the undersigned believe that by no possible practicable route could the Nova Scotia boundary be reached by a line less in mileage than that of Eastern Extension, unless, indeed, it were contemplated almost entirely to exclude from its benefits the populous portion of Moncton, through which it passes, as well as Dorchester, the shire-town of Westmoreland, and the parishes of Sackville and Westmoreland, well settled districts, the most thickly so of any of the rural portions of New Brunswick, contributing, as they do, largely to the receipts of the road.

The undersigned apprehend that directness of line, while it may, as a general rule, be stated to be the correct one, must be open to the exception that such line should be so located as to secure the largest amount of local traffic, and the undersigned believe that the location of Eastern Extension will be found to have secured much larger local traffic, both passenger and freight, than would have been secured by any other route from the European and North American Railway to the Nova Scotia boundary. It does not appear to the undersigned to be a sufficient answer to say that such shorter practicable line could be found, if thereby the whole traffic and business public between these points are forced by ordinary road travel to seek their outlet to the other portions of the Dominion. Practically, it must be admitted that such a state of the matter would most materially affect the receipts of a line so located.

The arrangement by which the sum of \$894,000 was arrived at as the amount payable to New Brunswick for this work was based upon the fact that other portions of the Intercolonial, which were similar in character, as regards construction, were, under the then existing contracts, costing the Dominion only \$24,000 per mile, and that, therefore, New Brunswick could not fairly ask more per mile for the road.

While on every principle of justice New Brunswick ought to have been allowed such sum as would have enabled her to have received back the \$ charged to her by the Dominion in this account, yet the undersigned are willing to concede, had the line not been undertaken as a part of the Intercolonial, with the understanding with the Imperial authorities as above stated, that there would appear to be some fairness in the proposition that the Dominion ought not to pay more for this line than they could have entered into contracts for building it, which was estimated at \$24,000 per mile; but it being now pretty generally known that the contracts on the Intercolonial were taken at entirely too low a sum, and that its cost will be from one quarter to one-third more per mile than the sum named, on that ground alone, if no other, the undersigned submit that as Eastern Extension cost and was actually worth more than the sum paid by the Dominion Government, the Province ought to be allowed the money she has been charged with in connection with this work, the reasoning upon which the sum of \$24,000 per mile only was allowed being now shown to have been based upon an estimate as to the cost of the other portions of the line, which has since been shown to have been very materially increased, and fully, as the undersigned believe, to the extent above stated.

We have the honor to be your obedient servants,

JNO. JAS. FRASER,  
BENJ. R. STEVENSON,  
EDWARD WILLIS.

OTTAWA, 7th December, 1874.

No. 3.

Hon. the Secretary of State, Ottawa.

The undersigned, delegates from the Government of the Province of New Brunswick to the Government of the Dominion, beg to submit that New Brunswick is entitled to have passed to her credit with the Dominion on debt account the sum of \$300,000, being the stock taken by the Province in the line of railway known as Western Extension, with which sum she has been charged by the Dominion.



This stock (\$300,000) was authorized to be taken by virtue of an Act of the New Brunswick Legislature, passed on the 10th day of June, A.D. 1867, and an Act relating to the same was also passed on the 17th day of June in the same year.

It has been urged that the legislation respecting this stock should not prevail to make it a Dominion liability, but, it may be urged, that the work intended to be thus assisted was one of paramount importance to the whole railway system of New Brunswick, and was so considered by the promoters of the Union then in the Assembly, who assisted in its passage, and had it been thought to be unjust towards the Dominion, representations could easily have been made subsequently to the Union to the Colonial Office by the Dominion Government, and these Acts disallowed.

As no application was made to prevent these Acts being allowed to go into operation, it must be assumed that the Dominion did not desire to interfere with them, and were therefore willing to advance the money and place the stock to the credit of New Brunswick on debt account.

We may add, that when the Acts in question passed it was supposed that the stock would be a good paying investment, and we submit that the placing of bonds upon the road by the company years afterwards cannot affect the obligation of the Dominion to credit this stock.

We have, &c.,

JNO. JAS. FRASER,  
BENJ. R. STEVENSON,  
EDWARD WILLIS.

OTTAWA, 7th December, 1874.

No. 4.

Hon. the Secretary of State, Ottawa.

The undersigned, delegates from the Government of New Brunswick to the Government of the Dominion, would desire again to call the attention of the Privy Council to the claim made by the Province of New Brunswick for credit on debt account of the sum of £50,000 sterling, for stock taken many years since by our Province in the St. Andrews and Quebec Railway Company.

New Brunswick contends that under the 107th section of the Act of Union she is entitled to have this amount placed to her credit.

The matter has been several times brought under the notice of the Dominion Government, and the answer verbally given has invariably been that such stock became the property of the Dominion absolutely, and without any right of the Province to get credit for it.

The Privy Council, so the undersigned have been informed, have, in what are said to be analogous cases in some of the other Provinces, already refused their application for a like credit on their debt account.

Under these circumstances, the undersigned would respectfully suggest that some means should be adopted whereby a judicial determination on the point may be had, and the matter, which is now an open question, set at rest. In any step taken to attain this object the Government of New Brunswick will readily concur.

We have, &c.,

JNO. JAS. FRASER,  
BENJ. R. STEVENSON,  
EDWARD WILLIS.

OTTAWA, 7th December, 1874.

No. 5.

Hon. Secretary of State, Ottawa.

The undersigned are desirous of calling the attention of the Dominion Government to the question of public health, a question which they regard as entitled to the most serious consideration.

The importance of prompt and vigorous action is not now urged for the first time. Indeed, it was so thoroughly presented by a former delegation that it is deemed unnecessary to refer to it at any great length on this occasion.

The matter is clearly not altogether a local one. The British North America Act fixes the duty of guarding against the introduction of epidemical or contagious diseases upon the Dominion authorities. As yet this duty seems to have been imperfectly discharged. During the past few years the heavy expenditures with which the local and provincial authorities of New Brunswick were burthened on account of the matter of public health, and the serious inconvenience which, at times, the business of the country suffered, were largely due to the importation of contagious or infectious diseases from abroad, in vessels touching at New Brunswick ports.

The introduction of small-pox, especially—a disease admittedly contagious—was due, in a great degree, either to the absence of proper quarantine or to the lack of vigilance in ports in which health officers are supposed to exercise control. It seems unreasonable that from either one or the other of these defects the revenues of the Province should suffer depletion.

As it is clearly the duty of the Dominion Government to provide an efficient quarantine, it is beyond the power of New Brunswick to protect herself by resort to means which would lessen, if not entirely remove, causes of complaint; but as the case stands, she has no power either to establish such quarantine or to increase the efficiency of existing arrangements—her powers being limited—she is compelled to suffer injury, without other means of redress than an appeal to the Dominion Government. There are, of course, some quarantine stations in the Province, but it is matter of regret that they are, judging by the experience of a few years, both insufficient in numbers and inefficient in their operation.

The cost to the Provincial Government from the prevalence of small-pox chiefly, imported from foreign ports, amounts—between 1870 and 1873—to the large sum of \$12,603.28. The whole of this expenditure should not form a charge upon the provincial revenues. A very considerable portion of it should be borne by the Dominion; and for so much of the whole outlay as is a fair and equitable Dominion liability, the Dominion Government is asked to make a refund to New Brunswick.

In this connection, it may not be considered unreasonable to urge the Dominion Government to guard against a recurrence of the evils which have resulted to New Brunswick from the introduction of small-pox, by establishing a thoroughly efficient quarantine in all her ports. Without this salutary preventative against the introduction of small-pox, as well as other contagious or infectious diseases from abroad, it is impossible to tell how soon there may be a repetition of an experience which covers large loss of life, terror to communities, injury to trade, and heavy expenditure to public funds.

We have, &c.

JNO. JAS. FRASER,  
BENJ. R. STEVENSON,  
EDWARD WILLIS.

OTTAWA, 7th December, 1874.

No. 6.

OTTAWA, 25th January, 1877.

SIR,—As at the interview had with you to-day in relation to the continuance of the special subsidy of \$63,000 per annum payable to the Province of New Brunswick for the period of ten years, in terms of the British North America Act, 1867, it appears desirable that some of the grounds upon which it is sought to ask for such continuance should be placed before you in writing, with a view to their early consideration by yourself as the Finance Minister of the Dominion, we would, in the first place, respectfully desire that the several letters addressed by delegates in the months of October, 1871, January, 1873, and December, 1874, to the Hon. the Secretary of State for the Provinces, in which reference is made to the financial condition of New Brunswick, and to various matters affecting the Province, including this subsidy of \$63,000, may have your attentive perusal, as bearing in some measure upon the present application.

The undersigned would respectfully urge, as some of the reasons for a renewal of this special subsidy—



*First*, That the withdrawal of so large an amount as \$63,000 per annum from the present annual income of New Brunswick would very seriously impair the public service.

*Secondly*, That the demands of New Brunswick for her immediate wants require this sum to be now paid to her as well as when she entered the Union, in 1867, as may readily be seen by reference to the statement annexed, marked A, which shows the annual income of the Province from all sources, and the services yearly to be provided for, none of which latter can be dispensed with, unless to the very great detriment of the future progress of the Province.

*Thirdly*, That it would appear to the undersigned that Parliament has fully recognized the justice of the smaller Provinces receiving special aid, as may be instanced by her giving to Prince Edward Island, in addition to other most favorable terms, a special subsidy equivalent to 45 cents *per capita* on her population of 1871, as will appear by the statement annexed, marked B; by an allowance to Manitoba of \$23,604 per annum, or \$1.35 *per capita* on her population, as will appear by the statement annexed, marked C; and also, by supplementing the grant to her by the annual payment of \$26,746.46 for a limited period, *Vide* Act 39 Vic., chap. 3; and by giving to British Columbia a large debt and *per capita* allowance, based on different principles from those adopted in reference to the other Provinces, and, also, with provision for pensions, &c.

*Fourthly*, That the increase which was made to the debts of the several Provinces by the Act 36 Vic., chap. 30, was, in the case of New Brunswick, almost entirely absorbed in the liquidation of the sum by which her debt exceeded the \$7,000,000 allowed to her on entering the Union, such debt having been increased in the fulfilment of obligations to which the faith of the Province was pledged prior to the union, and for the fulfilment of which obligations she was led to believe the sum of \$7,000,000 would be fully adequate, thus leaving her ordinary services to require the special allowance of \$63,000 as much after that addition to her debt as before it, while in the case of other Provinces the interest of such increase was available for current expenditure, or the principal could be used for the construction of such public works in the Province as might receive the sanction of the Dominion Government.

The letters of 1871, 1873 and 1874, above referred to, deal so fully with matters between the Province and the Dominion, that we do not deem it necessary to lengthen this communication by putting forward other reasons, or to trespass upon your consideration at present, further than to request the favor of another interview, at which we may make personal explanations, which can afterwards be reduced to writing if required.

We have the honor to be, Sir, your obedient servants,

R. YOUNG,  
JNO. JAS. FRASER.

Hon. R. J. CARTWRIGHT, Finance Minister, Ottawa.

(A)

INCOME.

Subsidy, 80 cents on 285,777.	\$228,621
Subsidy, legislative grant.	50,000
Subsidy, in lieu of surrender of export duty.	150,000
Receipts from sale of Crown lands and stumpages.	70,000
Fees, Provincial Secretary's office.	5,700
Fees, Supreme Court.	1,800
Receipts, lunatic asylum.	1,000
	<hr/>
	\$507,121
Add the \$63,000 subsidy.	63,000
	<hr/>
	\$570,121

## EXPENDITURE.

Executive Government (including the Departments).	\$24,720
Legislature.	29,240
Contingencies, postages, telegrams, stationery, &c., for	
Executive, Legislature, and public offices.	11,000
University of New Brunswick.	8,844
Immigration and free grants.	12,000
Lunatic asylum.	25,000
Public health.	7,500
Pensions.	180
Agriculture.	16,000
Judicial.	14,000
Auditor-General's office.	1,600
Education.	150,000
Elections.	1,500
Public printing.	9,000
Public works.	200,000
Surveys and Government inspections.	3,000
Registry of marriage certificates.	1,000
St. John public hospital.	1,500
Deaf and dumb asylum, Halifax	1,000
do school, St. John.	1,000
Mining operations.	2,000
Judges' chambers, St. John.	150
Unforeseen expenses.	4,000
Interest on debentures.	24,240
Redemption of provincial debentures.	10,000
	<u>\$558,514</u>

## (B)

## PRINCE EDWARD ISLAND.

## Debt—

Population, 94,021, at \$50 a head	\$4,701,050
On the basis of debt allowed Nova Scotia and New Brunswick, including additions under Act 36th Vic., chap. 30.	3,049,101
	<u>\$1,651,949</u>

Annual allowance of 5 per cent. on \$1,651,949	\$82,597
Less—Interest on amount to be advanced for land purchase, \$800,000, at 5 per cent.	40,000

Balance equal to 45 cents a head on her population	<u>\$42,597</u>
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## (C)

## MANITOBA.

Has no debt—receives an annual allowance of 5 per cent. on \$472,090, equal to \$1.35 per head	<u>\$23,064</u>
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(Vide Act 33rd Vic., chap. 3.)



No. 7.

OTTAWA, 26th January, 1877.

SIR,—The undersigned delegates appointed by the Government of New Brunswick to confer with the Government of the Dominion, on the subject of the special allowance of \$63,000 to the Province of New Brunswick, have the honor to address a letter respecting the same to the Hon. the Minister of Finance, under date the 25th instant, which they respectfully ask may be laid before His Excellency the Governor General at an early day.

We have the honor to be your obedient servants,

ROBT. YOUNG.  
JNO. JAS. FRASER.

Hon. R. W. SCOTT, Secretary of State.

No. 8.

OTTAWA, 27th January, 1877.

GENTLEMEN,—I have the honor to acknowledge the receipt of your letter of the 26th instant, calling attention to a communication addressed to the Hon. the Minister of Finance on the 25th January, "on the subject of the special allowance of \$63,000 to the Province of New Brunswick," and requesting that it may be laid before His Excellency at an early day. I beg to inform you the communication will be submitted for the consideration of the Privy Council.

I have the honor to be, Gentlemen, your obedient servant,

R. W. SCOTT, *Secretary of State.*

Hon. Messrs. YOUNG and FRASER.

No. 9.

OTTAWA, 14th February, 1877.

SIR,—I have the honor to transmit herewith copy of an Order in Council, dated 13th instant, on the subject of the discontinuance of the special grant of \$63,000 to the Province of New Brunswick, together with a copy of the memorandum of the Hon. the Minister of Finance on the subject.

I have, &c.,

R. W. SCOTT, *Secretary of State.*

His Honor the Lieutenant-Governor of New Brunswick.

No. 10.

*COPY of a Report of a Committee of the Honorable the Privy Council, approved by His Excellency, the Governor General in Council on the 13th February, 1877.*

The Committee of Council have had under consideration the memorandum, dated \_\_\_\_\_, from the Minister of Finance, to whom has been referred the application of the Government of New Brunswick for the renewal of the special grant of \$63,000 made to it at the period of entering Confederation, and which expires on the 1st July of the present year, and for the reasons and on the recommendation submitted in the said memorandum, they recommend that no addition be made to the fixed annual charges now existing, by a continuance of the sum asked for.

The Committee advise that a copy of this Minute and memorandum be submitted to the Government of New Brunswick.

Certified.

W. A. HIMSWORTH, *Clerk Privy Council.*

No. 11.

*Memorandum.*

The Minister of Finance, to whom has been referred the application of the Government of New Brunswick for the renewal of the special grant of \$63,000 made to it at the period of entering Confederation, which expires on the 1st July of the present year, begs leave to observe:

1st.—That since the original grant of this allowance, the position of New Brunswick has been materially changed as regards the other Provinces.

That under the census of 1871, and in accordance with the provisions of the Confederation Act, New Brunswick received an additional subsidy of \$26,837.

That in 1873, over and above the general increase caused by the Dominion assuming the debts of the Provinces, New Brunswick received a special allowance of \$150,000 annually, as compensation for the abolition of export duty on timber, as provided for in the Washington Treaty, which payment was a total loss, so far as the Dominion exchequer was concerned.

The undersigned would further observe, that there is now paid out of the Dominion exchequer an amount of \$452,487 to New Brunswick, with a population of 285,594, exclusive of the special grants now about to lapse; whereas Quebec, with a population of 1,620,851, only receives \$1,196,872. Deducting from the above sum the interest allowed on the debt not yet drawn, and the special allowance of \$150,000, the amount received by the Province is \$278,475, which will continue to augment until the population of the Province reaches the number of 400,000 souls.

The undersigned is fully aware that the expenses of maintaining a Government in a small Province are relatively greater than in those of larger dimensions, but in view of the facts above mentioned the undersigned must express his unqualified conviction that no additional allowance can be made to New Brunswick without involving similar grants to the other Provinces, which would entail a total addition of not less than \$800,000 to the annual expenditure of the Dominion, and would inevitably involve additional taxation inflicted upon the inhabitants of the very Province now requesting an increase to its income.

A comparison of the amount of taxation *per capita* paid by the people of New Brunswick shows conclusively that in this event they would be compelled to pay more into the exchequer of the Dominion than they could possibly receive by the continuance of the grant of \$63,000.

The Minister will further observe that an examination of the disbursements incurred by the Province of New Brunswick shows clearly that a very large portion of the expenditure, amounting to no less a sum than \$360,000, out of a total of \$548,000, was expended on education and the maintenance of roads and highways, both of which services are, to a very large extent, defrayed in the Provinces of Ontario and Quebec from direct local taxation.

In view of the enormous engagements to which the Dominion of Canada is now committed, and in view of the inexpediency of disturbing the present financial arrangements of the several Provinces, the undersigned feels it his duty to recommend, in the strongest manner possible, that no addition be made to the fixed annual charges now existing by a continuance of the sum asked for.

R. J. CARTWRIGHT, *Minister of Finance.*

FINANCE DEPARTMENT, 12th February, 1877.

*"Message to the House of Assembly, 12th March, 1878.*

"S. L. TILLEY.

"The Lieutenant-Governor lays before the House documents and correspondence on the subject of Eastern Extension, provincial penitentiary, and Tracadie Lazaretto; also, letter from Under Secretary of State acknowledging receipt of the above.

"S. L. T."

No. 1. Letter from delegation, on subject of Eastern Extension, to Hon. R. W. Scott, Secretary of State, dated 14th February, 1878.

No. 2. Letter from delegation, on subject of penitentiaries, to Hon. R. W. Scott, Secretary of State, dated 14th February, 1878.

No. 3. Letter from delegation, on subject of Tracadie Lazaretto, to Hon. R. W. Scott, Secretary of State, dated 15th February, 1878.

No. 4. Letter from Under Secretary of State, dated 20th February, 1878, acknowledging receipt of above.



OTTAWA, 14th February, 1878.

SIR,—We have the honor, at the instance of the Government of New Brunswick, again to request attention to the sum of one hundred and fifty thousand dollars, which forms part of the debt account between the Province of New Brunswick and the Dominion, and was charged to the Province in connection with the railway known as the Eastern Extension Railway.

This matter was submitted for the consideration of the Dominion Government, in a letter of date the 7th December, 1874, and addressed to yourself as the then Secretary of State for the Provinces, by Messrs. Fraser, Stevenson and Willis, representing the Government of New Brunswick. A copy of such letter will be found in pages 185, 186 and 187, of the Journals of the New Brunswick House of Assembly for the ordinary Session of 1877.

It is unnecessary here to repeat what is set forth in that letter, but we may be permitted to say that the claim which we make on behalf of our Province in this matter is, in a few words, this, viz.:—That there was advanced on account of New Brunswick \$400,000 towards the construction of this work, which was undertaken by her in 1866 with the sanction and approval of the Imperial Government as a portion of the Intercolonial Railway: That after various negotiations in 1868 and 1869 between the Government of the Province and the Government of the Dominion, the latter agreed, in the year 1869, to allow the Province for the said road at the rate of \$24,000 per mile, provided the Province accepted such offer within sixty days from the date of the Order in Council making it: That in such offer was contained a declaration of the Government that if the same was not so accepted a rival line would be constructed: That the rate of \$24,000 per mile was fixed by the Dominion Government, on the basis that the contracts made by them for the construction of the first sections of the Intercolonial (which were similar in their general features to Eastern Extension), were let at that figure: That in view of such representations the New Brunswick Government felt that they had no choice in the matter but to accept such proposal. By such acceptance there remains to this day the first named sum of \$150,000 of the money of the Province invested in that work.

It appears to the undersigned that there are several substantial reasons why the debt account of New Brunswick should be so re-arranged as to have this sum of \$150,000 placed to its credit.

*Firstly*—Because Eastern Extension being undertaken *bonâ fide* by New Brunswick as a portion of the Intercolonial and being actually adopted subsequently as a portion of the Intercolonial, she ought to have returned to her the full extent of her investment in it.

*Secondly*—The basis of \$24,000 per mile having been arrived at from comparison with certain sections of the Intercolonial then let, and those sections having actually cost from 25 to 33½ per cent. more than estimated, fully justifies New Brunswick in asking that she be now credited with this \$150,000; seeing that even then this road would cost the Dominion Government but a fraction over \$28,000 per mile, or one-eighth less than did the let sections, as above stated.

*Thirdly*—Because no inference ought to be drawn from New Brunswick accepting the \$24,000 per mile, seeing that she was entirely at the mercy of the Dominion Government; having either to accept the offer as it was made, or reject it and suffer great pecuniary loss and embarrassment.

We have the honor to be, Sir, your obedient servants,

R. YOUNG,  
JNO. JAS. FRASER,  
J. H. CRAWFORD.

Hon. R. W. SCOTT, Secretary of State, Ottawa.

OTTAWA, 14th February, 1878.

SIR,—We have the honor, at the instance of the Government of New Brunswick, to draw attention to the existing legislation respecting penitentiaries.

It is the opinion of the Government of New Brunswick that that legislation, in so far as it provides that, subject to certain temporary exceptions, no prisoner sentenced for a shorter term than two years shall be admitted to the penitentiary, is, in its application to our Province, at variance with the obligations of Canada under the terms of Union.

This matter was the subject of a representation to the Government of Canada in a letter dated 2nd October, 1871, and addressed to the Hon. Joseph Howe, then Secretary of State for the Provinces, by Messrs. Hatheway, Stevenson and Wedderburn, representing the Government of New Brunswick. We beg leave to refer to a copy of this letter at page 138 of the Journals of the House of Assembly of New Brunswick for the year 1877.

At the last ordinary Session of the Legislature a committee was appointed to report upon the facts connected with the adoption by the Province of the penitentiary at St. John.

The report of this committee is set out at pages 197 to 209 of the Assembly Journals, to which we also beg leave to refer.

The exception thus far made in favor of Nova Scotia and New Brunswick had led to the hope that it might be made a permanent provision of the Act, but as the steps taken to erect a penitentiary at Dorchester for the Maritime Provinces seems to indicate an intention to discontinue this exception, we would re-state the views entertained by the New Brunswick Government.

Whatever doubt may exist as to whether it is any part of the duty of the Provincial Legislature to provide for the punishment of persons convicted of offences against the laws of Canada, and whatever duties may be imposed upon the provincial authority by the power to legislate upon the administration of justice, and the establishment, maintenance and management of public prisons—these duties are certainly limited by the obligation of the Dominion in respect of penitentiary management and maintenance.

No technical meaning can be assigned to the term "penitentiaries" as it occurs in clause 91 of the Act of Union, and recourse must therefore be had to the state of the law and facts existing in the different Provinces at the time of Union, in order to determine the extent of obligations assumed by Canada.

It may well be that in some of the Provinces prior to Union the law respecting admission to the penitentiary was similar to that now in force in Canada, and, if so, such Provinces have no reason to complain if effect is given to what, in their case, was clearly intended.

But in New Brunswick at the time of Union, and ever since the establishment of the penitentiary, in 1842, the penitentiary was, in fact and in law, an institution where all prisoners sentenced to imprisonment with hard labor were to be held for purposes of punishment.

The Revised Statutes, chapter 91, section 14, enacted that "whenever by any law authority is or may be given to imprison any person in any house of correction or gaol with hard labor, or in the penitentiary, such imprisonment may be in the penitentiary with hard labor."

This provision of the law was well known, and when the Dominion took upon itself the establishment, maintenance and management of penitentiaries this was read in New Brunswick in the sense in which the terms were understood in that Province, and it was supposed that the Province was thenceforward to be relieved from the customary charges on penitentiary account.

If it is at once admitted that Canada may ignore the state of facts existing at the time of Union as determining the meaning and scope of the terms of Union, the matter becomes simply one of discretion for one of the parties to the Union, and the obligation assumed by Canada may practically be shifted over upon the Provinces by still further narrowing the conditions of admission. As it is, the effect of the present law would be to relieve the Dominion from the charge of the more numerous and least remunerative of the prisoners heretofore confined in the penitentiary. On this point we beg to refer to the report of the committee of the Assembly, at pages 208, 209, of the Journals of Assembly, already referred to.



It can be readily understood how the same authority having charge of all criminals should, for its own convenience or purposes of better management or discipline, discriminate between long and short term prisoners, and establish separate penitentiaries, or separate departments for each class, but the necessity for such discrimination affords no reason for the proper authority relieving itself of all liability in respect of one or other of these classes.

It is hardly necessary to point out that, in our view, the power given to the Dominion to legislate with regard to the "management" of penitentiaries must be exercised with due regard to the express and implied obligations arising out of the taking over of the penitentiaries, and in subordination to the proper meaning of the term "penitentiary" as applied in the case of the several Provinces, this would still leave a large sphere for the exercise of the power of management.

We also desire to point out that the St. John penitentiary, then known as the St. John house of correction, was taken by the Province as a provincial penitentiary, in the year 1842, and that connected with the financial arrangements it was agreed on the part of the Province that all persons convicted of minor offences in the city and county of St. John might be imprisoned in the provincial penitentiary.

The Dominion of Canada having succeeded to the ownership of the penitentiary, it is urged by the municipal authorities of St. John, with apparent conclusiveness, that the Dominion authorities should carry out the arrangement entered into between the city and county and the Province, and the observations already made as to the general subject are applicable to this special claim as well.

We would refer to the report of the Assembly committee as setting out the facts in this connection.

The whole matter is one of great importance to the people, not only of the city and county of St. John, but of the entire Province.

In submitting this matter for consideration, we claim—

*First*—That the Act 33rd Victoria, chapter 30, does not carry out the spirit and intention of the Act of Union, and that under the terms "the establishment maintenance and management of penitentiaries," Canada is liable for the care of all prisoners punishable under the criminal laws of Canada, whether sentenced for two years or under, and that the Dominion Parliament cannot relieve itself from this burden by any legislation.

*Second*—That in the case of the St. John penitentiary the Dominion Government is vested with the property of that institution, subject to the right of the city and county of St. John to have all its short term prisoners cared for therein, as promised in the agreement between the Province and the city and county of St. John.

*Third*—That the St. John penitentiary be retained by the Dominion authorities for the short term prisoners, as at present, or that, saving the right as existing at the time of Union to send minor offenders to the St. John penitentiary, all persons convicted upon indictment be confined in the St. John penitentiary or the Dorchester penitentiary, according as the Dominion may see fit.

*Fourth*—That in any event such provision should be made as would prevent there being thrown upon the Province, or any of its counties, a burden not contemplated by the Act of Union.

Respectfully asking for this matter the favorable consideration of the Privy Council,

We have the honor to be, Sir, your obedient servants,

R. YOUNG,  
JNO. JAS. FRASER,  
J. H. CRAWFORD.

Hon. R. W. SCOTT, Secretary of State, Ottawa.

OTTAWA, 15th February, 1878.

SIR,—The undersigned, on behalf of the Government of New Brunswick, wish respectfully to call your attention to the matter of the Tracadie Lazaretto, situate in

the County of Gloucester, in that Province, and the claim which that institution has to be maintained and supported by the Government of Canada.

This matter was previously brought to the attention of your Government in a letter from a delegation from the Executive of New Brunswick, dated 31st January, 1873, which letter is to be found in the Journals of that Province for 1877, page 181.

As by the terms of the Act of Union the maintenance of public health is entrusted equally to both the Central and Local Governments, it follows that in the division of this responsibility it would seem proper that any diseases, to prevent the spread of which is of national importance and interest to the people of the Dominion, as well as the prevention of the spread of contagious diseases from one Province or section of the Dominion to another, may fairly be claimed as the proper charge of the Government of Canada.

The prevention of the spread of the terrible disease of leprosy, the very desirable collection and confinement of its unfortunate victims, and its gradual extinction, seem beyond doubt matters of the highest importance to the Dominion at large, and equally of interest to all its people.

It seems now to be the well settled opinion of those who have made the matter a study, that this disease is contagious, and that it is also disseminated by inheritance.

Taking into consideration these facts, with the peculiar characteristics of this disease to conceal itself in the person of its victim for years without showing any signs of its presence, that even persons slightly affected can mingle with others without those others even knowing that the disease is in their midst, peculiarities well exemplified in the case of the girl last year brought from the State of Rhode Island back to her former home in New Brunswick, and the facility now afforded for the rapid dissemination of any contagious disease, we think the care of the leper should be a national and not a provincial charge.

In asking for this your favorable consideration, we have only to add that we are not alone in our contention, as we are strongly supported by the public utterances of His Honor the present Governor of Ontario, His Honor Mr. Speaker Anglin, and Chief Justice Woods, of Manitoba, and others, in May, 1873, when the matter was under discussion in Parliament, as will be seen by reference to the *St. John Freeman*, of date 22nd May, 1873, and the *Toronto Globe*, of 13th May, 1873.

We have the honor to be, Sir, your obedient servants,

R. YOUNG,  
JNO. JAS. FRASER,  
J. H. CRAWFORD.

Hon. R. W. Scott, Secretary of State, Ottawa.

DEPARTMENT OF THE SECRETARY OF STATE,  
OTTAWA, 20th February, 1878.

SIR,—I have the honor to acknowledge the receipt of three communications, two of the 14th instant and one of the 15th instant, signed by yourself and the Hons. John J. Fraser and J. H. Crawford, at the instance of the Government of New Brunswick, for the consideration of the matters therein indicated, and to inform you that the subjects will be submitted to His Excellency the Governor General.

I have, &c.,

EDOUARD J. LANGEVIN,

*Under Secretary of State.*

Hon. R. YOUNG, &c., &c., &c.

On motion of the Hon. Mr. Fraser,

The House went into Committee of the Whole on the following resolutions:—

“Whereas it appears by the Message of His Honor the Lieutenant-Governor, laid before this House on the 12th instant, that renewed application has been made to the Dominion Government for the payment of the amount of \$150,000 due to this Province for moneys put in the Eastern Extension Railway, being part of the Inter-colonial Railway;



"And whereas it also appears by the Speech of His Honor, made at the opening of the present Session, that the senators and members of Parliament representing New Brunswick cordially agreed to co-operate with the Government of this Province, in pressing upon the consideration of the Dominion Government the propriety of reimbursing New Brunswick the said sum of \$150,000, with interest;

"And whereas no satisfactory response appears to have been yet given to the Government of this Province by the Dominion Government to the demand above stated, and the several claims mentioned in the correspondence referred to therefore,

"Resolved, That this House approves of the course taken by the senators and members of the House of Commons from New Brunswick in aiding the Government of this Province to urge upon the consideration of the Dominion Government the propriety of paying the said sum of \$150,000, with interest, invested in the said railway; and they further express the strong hope that the representatives from New Brunswick in the Dominion Parliament will, by all constitutional means in their power, press for the immediate payment of the said amount, with interest; and further,

"Resolved, As the opinion of this House, that any postponement in reimbursing the moneys already mentioned, and making a settlement of the several matters referred to, would not be reasonable, fair or just to the people of New Brunswick."

### RETURN

(98)

To an ADDRESS of the HOUSE of COMMONS, dated 21st April, 1879;—For copies of all correspondence between the Government of New Brunswick and the Government of the Dominion, relating to certain claims preferred by the former against the latter Government; also, all Orders in Council relating to the same, since the 1st day of April, 1878. (In part.)

By Command.

J. C. AIKINS, *Secretary of State.*

Department of the Secretary of State, Ottawa, 29th April, 1879.

OFFICE OF THE CLERK OF THE PEACE,

CITY AND COUNTY OF ST. JOHN,

ST. JOHN, 18th January, 1875.

SIR,—I have the honor to enclose herewith a memorial of the justices of the city and county of St. John to His Excellency the Governor General, of which the object is to place before His Excellency and the members of his Government in as clear and succinct a manner as possible, the rights reserved to this city and county in what is now known as "The St. John Penitentiary," and to pray that these rights may be regarded and maintained in dealing with the questions which have already arisen, and, to some extent, been recognized by the Dominion Parliament. And I am respectfully to request you to lay the memorial before His Excellency at the first suitable opportunity.

I am also desired to inform you that James A. Harding, Esq., High Sheriff, and Robert Marshall, Esq., a justice of this city and county, who are now on their way to Ottawa to attend a meeting of the Board of Trade, have been delegated by the Sessions to wait upon His Excellency, or any one or more of his Ministers whom he may appoint, for the purpose of discussing the matter and of affording such information as they may be able to give, if desired.

I have the honor to be, Sir, your most obedient servant,

H. W. FRITH, *Clerk of the Peace.*

Hon. the Secretary of State, Ottawa.

*His Excellency the Right Honorable the Earl of Dufferin, Viscount and Baron Clandeboyne, of Clandeboyne, K.P., K.C.B., Governor General of Canada, &c., &c., &c.*

The memorial of the justices of the city and county of St. John, in the Province of New Brunswick, in sessions, humbly sheweth that in consequence of the city of St. John being a seaport and most populous town in the Province of New Brunswick, the said city and county of St. John is much more seriously affected than any other part of the Province by the legislation which has taken place since the confederation of the said Province with Canada and Nova Scotia, in reference to the penitentiary in New Brunswick, and by which it appears to be intended very shortly to exclude from such penitentiary all convicts sentenced for less than two years.

Your memorialist therefore respectfully beg to call Your Excellency's attention to the following facts in regard to the rights which this city and county separately, and also in common with the other counties of New Brunswick, has always hitherto had and enjoyed in such penitentiary, that is to say :—

1. That the tract of land situate in the parish of Simonds, in the said city and county of St. John, upon which the prison, known as the St. John penitentiary, now stands, was, in the year 1838, purchased by the said justices for the purpose of erecting thereon a house of correction for the said city and county.

2. That between that period and the year 1842 a stone building, which forms part of the penitentiary as it at present exists, together with a residence for the keeper and other subordinate buildings, were erected by the said Justices.

3. That in 1841 the Government and Legislature of New Brunswick, feeling, as the Act says, the great benefit which would arise from extending the advantages of the institution to the whole Province, caused an Act to be passed to authorize its sale and transfer to the Government.

4. That consequently, under and by virtue of the Act of Assembly of New Brunswick, 4th Vic., cap. XLIV, the said buildings so erected by the said justices, with the tract of land and premises aforesaid, were surrendered to Her Majesty the Queen, and then became and were used and known as the provincial penitentiary of New Brunswick.

5. That part of the terms of transfer made and agreed upon by and between the said justices and the Province of New Brunswick was the reservation to the said justices of the right in perpetuity to commit to the said house of correction or penitentiary all vagabonds, suspicious and disorderly persons within the said city and county, and the further right, in common with all the other counties of the Province, to cause all persons sentenced to imprisonment with hard labor and confined in the county gaol to be removed thereupon to the said house of correction or penitentiary, as by reference to the 14th and 15th sections of the said recited Act, here following, will more fully appear, that is to say :—

“ 14. And be it further enacted, that it shall and may be lawful for the mayor, recorder and the alderman of the said city, or either of them, and Her Majesty's justices of the peace for the said city and county for the time being, or either of them, to take up and arrest, or by warrant, to order to be taken up and arrested all and any rogues, vagabonds, stragglers, idle, suspicious or disorderly persons within the said city and county, and to order such rogues, vagabonds, stragglers, idle, suspicious or disorderly persons to be committed to the said house of correction, there to remain and be kept to hard labor for any time not exceeding forty days.

“ 15. And be it further enacted, that it shall and may be lawful for the justices of the peace in and for any county or city and county of this Province in general sessions or in any special sessions to be for that purpose held, to cause all prisoners sentenced to imprisonment with hard labor, and all vagrants, rogues, vagabonds, stragglers, and other idle, suspicious or disorderly persons at such time in confinement in the common gaol or workhouse of the said county, or city and county, under and by virtue of any conviction, to be removed from such common gaol or workhouse and to be carried, conveyed and taken to the said house of correction, and to make such necessary orders and regulations for the carrying and taking such persons,



together with the necessary costs and charges of the same as to them the said justices may seem fit, and the keeper of the said house of correction shall forthwith receive such person or persons into his custody, and the said person or persons where so removed and placed in the said house of correction shall remain there and be kept to hard labor until the several and respective terms of punishment shall expire."

6. That up to the time of Confederation of the said Provinces the rights thus reserved and secured to the said city and county were never questioned, but, on the contrary, were fully recognized and maintained in the year 1854 by the Government and Legislature of the Province, as will appear by reference to the Revised Statutes of the Province passed in that year, cap. 91, sections 12, 13 and 14.

7. That under and by virtue of the British North America Act of 1867, and a subsequent Act of the Dominion Parliament, namely, 31 Vic., cap. LXXV, the institution and premises above mentioned passed over to the Dominion of Canada, and, inadvertently, as your memorialists conceive, without any reference to the vested rights of the said justices and of the said city and county of St. John therein.

8. That in 1869, by 32-33 Vic., cap. XXIX, it was enacted that imprisonment for any term short of two years should be in a common gaol, or some prison or place other than the penitentiary, but by sec. 96 of the same chapter, the Provinces of Nova Scotia and New Brunswick were exempted from the operation of this statute.

9. That in 1870, by 33 Vic., cap. XXX, this exemption was repealed, subject to the provision that such repeal should not take effect in the case of one-year convicts prior to the 1st May, 1873, and of two-years convicts prior to the 1st May, 1874.

10. That in 1873, by 36 Vic., cap. LII, the periods last above named were further extended, that is to say: In the case of one-year convicts to 1st May, 1875, and in that of two-years convicts to 1st May, 1876.

11. That all the above-cited statutes apply equally to the Provinces of Nova Scotia and New Brunswick, and that in none of them are recognized in any way the clear and inalienable rights of the said city and county of St. John, reserved as above mentioned by the said Acts of Assembly, and subject to which the said lands and buildings were originally transferred to the Provincial Government.

12. That a reference to the statistics of the said penitentiary, from its establishment, will show that full ninety per cent. of all the convicts sent thereto are from the city and county of St. John, and that of these above ninety-five per cent. are under two-years convicts.

13. That as your memorialists conceive, it is a matter of public faith that the rights reserved to the said city and county should be specially regarded and maintained by the Dominion Legislature and Government, as they doubtless would have been by the Assembly and Government of New Brunswick, had Confederation not taken place.

Your memorialists therefore pray that Your Excellency will cause the subject-matter of this memorial to be enquired into, and if the statements therein set forth and contained be found correct and true, and your memorialists believe they cannot be gainsaid or disputed, will direct such steps to be taken as will ensure to your memorialists and the said city and county of St. John the continuation in perpetuity of the rights so reserved as aforesaid, or that such other provision for dealing with the class of convicts which, under the existing law, will shortly be shut out from the said penitentiary, be made in the premises, as will relieve this city and county from the great loss and detriment to which it would be subject, and will also prevent the violation of the terms upon which the institution and premises aforesaid passed out of the said sessions, and subsequently became the property of the Dominion of Canada.

And as in duty bound, your memorialists will ever pray.

In witness whereof, your memorialists have caused to be hereunto affixed the Seal of the General Sessions of the said city and county, this sixteenth day of January, one thousand eight hundred and seventy-five.

A. CHIPMAN SMITH, *Mayor*.

H. W. FRITH, Clerk of the Peace.

OTTAWA, 14th February, 1878.

SIR,—We have the honor, at the instance of the Government of New Brunswick, to draw attention to the existing legislation respecting penitentiaries.

It is the opinion of the Government of New Brunswick that that legislation, in far as it provides that, subject to certain temporary exceptions, no prisoner sentenced for a shorter term than two years shall be admitted to the penitentiary, is, in its application to our Province, at variance with the obligations of Canada under the terms of Union.

This matter was the subject of a representation to the Government of Canada in a letter, dated 2nd October, 1871, and addressed to the Hon. Joseph Howe, then Secretary of State for the Provinces, by Messrs. Hatheway, Stevenson and Wedderburn, representing the Government of New Brunswick.

We beg leave to refer to a copy of this letter, at page 138 of the Journals of the House of Assembly of New Brunswick, for the year 1877.

At the last ordinary Session of the Legislature, a committee was appointed to report upon the fact connected with the adoption, by the Province, of the penitentiary at St. John. The report of this committee is set out at pages 197 to 209 of the same Assembly Journals, to which we also beg leave to refer.

The exception thus far made in favor of Nova Scotia and New Brunswick had led to the hope that it might be made a permanent provision of this Act; but, as the step taken to erect a penitentiary at Dorchester for the Maritime Provinces seems to indicate an intention to discontinue this exception, we would re-state the views entertained by the New Brunswick Government. Whatever doubt may exist as to whether it is any part of the duty of the Provincial Legislature to provide for the punishment of persons convicted of offences against the laws of Canada and whatever duties may be imposed upon the provincial authority by the power to legislate upon the administration of justice, and the establishment, maintenance and management of public prisons, these duties are certainly limited by the obligation of the Dominion in respect of penitentiary management and maintenance.

No technical meaning can be assigned to the term "penitentiaries," as it occurs in clause 91 of the Act of Union, and recourse must therefore be had to the state of the laws and facts existing in the different Provinces at the time of Union, in order to determine the extent of obligation assumed by Canada.

It may well be that in some of the Provinces, prior to Union, the law respecting admission to the penitentiary was similar to that now in force in Canada. And if so, such Provinces have no reason to complain if effect is given to what, in their case, was clearly intended. But in New Brunswick, at the time of Union, and ever since the establishment of the penitentiary, in 1842, the penitentiary was, in fact and in law, an institution where all prisoners sentenced to imprisonment with hard labor were to be held for purposes of punishment.

The Revised Statutes, chap. 91, sec. 14, enacted that "whenever by any law authority is or may be given to imprison any person in any house of correction or gaol, with hard labor, or in the penitentiary, such imprisonment may be in the penitentiary with hard labor."

This provision of the law was well known, and when the Dominion took upon itself the establishment, maintenance and management of penitentiaries, this was read in New Brunswick in the sense in which the terms were understood in that Province, and it was supposed that the Province was thenceforward to be relieved from the customary charges on penitentiary account.

If it is once admitted that Canada may ignore the state of facts existing at the time of Union, as determining the meaning and scope of the terms of Union, the matter becomes simply one of discretion for one of the parties to Union. And the obligation assumed by Canada may practically be shifted over upon the Provinces by still further narrowing the conditions of admission. As it is, the effect of the present law would be to relieve the Dominion from the charge of the more numerous and least remunerative of the prisoners heretofore confined in the penitentiary. On this



point we beg to refer to the report of the committee of the Assembly, at pages 208 and 209 of the Journals of the Assembly, already referred to.

It can be readily understood how the same authority, having charge of all criminals, should, for its own convenience, or for purposes of better management or discipline, discriminate between long and short term prisoners, and establish separate penitentiaries or separate departments for each class; but the necessity for such discrimination affords no reason for the proper authority relieving itself of all liability in respect of one or other of these classes.

It is hardly necessary to point out that in our view the power given to the Dominion to legislate with regard to the "management" of penitentiaries must be exercised with due regard to the express and implied obligations arising out of the taking over of the penitentiaries, and in subordination of the proper meaning of the term "penitentiary," as applied in the case of the several Provinces. This would still leave a large sphere for the exercise of the power of management. We also desire to point out that the St. John penitentiary, then known as the St. John house of correction, was taken by the Province as a provincial penitentiary in the year 1844, and that, connected with the financial arrangements, it was agreed on the part of the Province that all persons convicted of minor offences in the city and county of St. John might be imprisoned in the provincial penitentiary.

The Dominion of Canada having succeeded to the Province of New Brunswick in ownership of the penitentiary, it is urged by the municipal authorities of St. John, with apparent conclusiveness, that the Dominion authorities should carry out the arrangement entered into between the city and county and the Province; and the observations already made as to the general subject are applicable to this special claim as well.

We would refer to the report of the Assembly committee as setting out the facts in this connection. The whole matter is one of great importance to the people, not only of the city and county of St. John, but of the entire Province.

In submitting this matter for consideration we claim:

1st. That the Act 33 Vic., chap. 30, does not carry out the spirit and intention of the Act of Union, and that under the terms "the establishment, maintenance and management of penitentiaries," Canada is liable for the care of all prisoners punishable under the criminal laws of Canada, whether sentenced for two years or under, and that the Dominion Parliament cannot relieve itself from this burden by any legislation.

2nd. That, in the case of the St. John penitentiary the Dominion Government is vested with the property of that institution, subject to the right of the city and county of St. John to have all its short-term prisoners cared for therein, as provided in the agreement between the Province and the city and county of St. John.

3rd. That the St. John penitentiary be retained by the Dominion authorities for the short-term prisoners, as at present, or that, saving the right as existing at the time of the Union, to send minor offenders to the St. John penitentiary, all persons convicted upon indictment be confined in the St. John penitentiary or the Dorchester Penitentiary, according as the Dominion may see fit.

4th. That in any event such provision should be made as would prevent there being thrown upon the Province, or any of its counties, a burden not contemplated by the Act of Union.

Respectfully asking for this matter the favorable consideration of the Privy Council,

We have the honor to be, Sir, your obedient servants,

R. YOUNG,  
JNO. JAS. FRASER,  
J. H. CRAWFORD.

Hon. R. W. SCOTT, Secretary of State, Ottawa.

*COPY of a Report of a Committee of the Honorable the Privy Council, approved by His Excellency the Governor General on the 3rd March, 1879.*

The Committee have had under consideration the report, dated 29th December, 1878, from the Hon. the Minister of Justice, having reference to the subject of existing legislation respecting penitentiaries, in so far as it relates to New Brunswick, and they respectfully submit their concurrence in the said report, and advise that the same be approved, and that the conclusions therein arrived at as to the memorial of the justices be communicated to the mayor of St. John, on their behalf, by the Secretary of State, and that a copy of the said report be also transmitted by him to the Lieutenant-Governor of New Brunswick, for the information of that Government.

Certified.

W. A. HIMSWORTH, *Clerk Privy Council.*

Hon. the Secretary of State, &c.

DEPARTMENT OF THE SECRETARY OF STATE OF CANADA,

OTTAWA, 8th March, 1879.

SIR,—I have the honor to transmit to you herewith, for the information of your Government, a copy of an Order of His Excellency the Governor General in Council, of the report therein referred to, on the subject of the St. John penitentiary, in relation to short-term prisoners.

I have the honor to be, Sir, your obedient servant.

EDOUARD J. LANGEVIN, *Under Secretary of State.*

His Honor the Lieutenant-Governor of New Brunswick, Fredericton.

DEPARTMENT OF THE SECRETARY OF STATE OF CANADA,

OTTAWA, 13th March, 1879.

SIR,—I am directed to inform you that the memorial of the justices of the city and county of St. John, on the subject of the convicts sentenced to short terms of imprisonment in the St. John penitentiary, has received the consideration of the Government.

I am now to state that His Excellency the Governor General has been advised that (as report of the Minister of Justice, pages 96 and 97, marked in pencil).

I am further to state that it is intended that when the Dorchester penitentiary is ready for occupation the St. John penitentiary will be proclaimed to be no longer a penitentiary.

I am to add that His Honor the Lieutenant-Governor of New Brunswick has been fully communicated with on the subject.

I have the honor to be, Sir, your obedient servant,

EDOUARD J. LANGEVIN, *Under Secretary of State.*

His Worship the Mayor of St. John, N.B.

GOVERNMENT HOUSE, FREDERICTON, N.B., 13th March, 1879.

SIR,—I have the honor to acknowledge the receipt of your despatch of the 8th instant, transmitting, for the information of my Government, a copy of an Order of His Excellency the Governor General in Council, and of the report therein referred to on the subject of the St. John Penitentiary, in relation to short-term prisoners.

I have the honor to be, Sir, your obedient servant,

ED. B. CHANDLER.

Under Secretary of State, Ottawa.

GOVERNMENT HOUSE, FREDERICTON, N. B., 22nd March, 1879.

SIR,—I have the honor to transmit herewith a copy of a Minute of my Executive Council, approved of by me on the 17th instant, together with the memorandum of



the Provincial Secretary, on the subject of the penitentiary at St. John, and the imprisonment of short-term prisoners therein.

I have the honor to be, Sir, your obedient servant,

ED. B. CHANDLER, *Lieutenant Governor of New Brunswick.*  
Hon. the Secretary of State, Ottawa.

*COPY of a Report of the Executive Council, approved by His Honor the Lieutenant-Governor in Council on the 17th March, 1879.*

The Committee of Council have had under consideration the memorandum of the Provincial Secretary, dated the 17th day of March, instant, referring to the despatch of the Federal Government, and the report of the Hon. the Minister of Justice on the subject of the penitentiary at St. John, and the imprisonment of short-term prisoners therein, and recommend that the memorandum be adopted.

The Committee advise that a copy of this Minute and of the memorandum be submitted to the Hon. Privy Council.

Certified.

L. A. H. STRATON, *C.E.C.*

The Provincial Secretary submits the following memorandum :—

I have had under consideration the report of the Hon. the Minister of Justice, approved by the Hon. the Privy Council, on the subject of the St. John penitentiary as to short-term prisoners.

As it will be observed, the report is voluminous, and bears date the twenty-ninth day of December, 1878 ; it was not received by this Government until the thirteenth day of March instant.

It is quite impossible at present to consider the reasons urged by the Hon. Minister of Justice for the adoption of the report. I may be permitted to say, with great deference, however, that I am quite unable to accept as at all conclusive the reasoning of the Minister of Justice, or the result at which he has arrived in respect of the rights of this Province in the premises. It is abundantly clear, I submit, that matters of a very grave character and important in their bearing upon the subject under discussion, the full consideration of which is quite essential to a right determination of the claim of this Province, have been wholly overlooked by the Minister of Justice.

I may refer briefly to one matter of no little importance in the consideration of the whole subject.

The Hon. Minister of Justice says: "It is true that no technical meaning has been assigned to the word 'penitentiaries' as appearing in the 91st section, neither has any technical meaning been assigned to the word 'prisons' as appearing in the 92nd section, B. N. A. Act. That the statutes assume that a difference between penitentiaries and prisons does exist is unquestionable. The words themselves have no definite distinctive meaning. There must, therefore, be power somewhere to declare what the difference between them is, as the B. N. A. Act does not itself declare it. The difference cannot be looked for in the structure of the buildings themselves ; it must, I think, be found in the power, so to speak, by the penitentiaries and prisons respectively to retain in custody those who may be sent there for confinement. If such be the case, it must follow that the legislative body which has the authority to fix the sentences which may be passed upon persons convicted of crime, not only as to duration, but also as to the place of confinement, has practically the power to declare the difference between a penitentiary and a prison. I am of opinion that this power rests with the Parliament of Canada under 91st section of the B. N. A. Act, and that the power to legislate upon criminal law, including procedures in criminal matters, taken in connection with the general power to make laws for the peace, order and good government of Canada, gives to the Parliament of Canada the right to declare what the minimum sentence of persons confined in a penitentiary established, maintained and managed by Canada must be."

There are many observations which might be made on this argument of the Hon. Minister of Justice, but at present I confine myself to a limited consideration of it. I apprehend that, according to the reasoning of the Hon. Minister of Justice it can scarcely be denied that the Legislature of New Brunswick, before Confederation, had the power to declare the difference between the words "penitentiary" and "prison." If it be true, as admitted by the Hon. Minister of Justice, that the legislative body which has the authority to fix the sentences which may be passed upon persons convicted of crime has practically the power to declare this distinction, it must follow that before Confederation that power was vested in the Legislature of New Brunswick, which had also the power to legislate upon criminal law, including procedure in criminal matters. It is undenied that prior to Confederation the Legislature of New Brunswick exercised that power; that in the exercise of that power the Legislature did declare that the house of correction (as it was originally called) should, upon and after a certain day, be and become the provincial "penitentiary" of New Brunswick with all that is implied in the meaning, technical or otherwise, of the word "penitentiary," as distinguished from the word "prison;" that not only was this power exercised by the Legislature of New Brunswick without challenge or interruption, but was recognised by successive statutes, and was acquiesced in and acted upon by all the courts of criminal judicature of the Province—in a word, all the powers which it is now claimed rest in the Parliament of Canada in this behalf, were, up to the time of Confederation, vested in and exercised by the Legislature of New Brunswick. When the terms of Confederation were agreed upon by the Confederences of Quebec and London, and when the B. N. A. Act passed the Imperial Parliament, and was accepted by the Province of New Brunswick, this Province had in existence, as it had for many years before, an "established and declared provincial penitentiary," in which, under the laws then existing, short-term prisoners had been and were confined. By the B. N. A. Act the Dominion of Canada assumed the "establishment" of penitentiaries where none had been established already, and "the maintenance and management of penitentiaries" already established. The penitentiary of St. John, I have said, was an "established" institution, a "declared" penitentiary, to which certain liabilities and obligations attached, and the statutes of New Brunswick, with which it must be presumed the promoters of the B. N. A. Act were quite familiar, had also declared that what are now called short-term prisoners should be imprisoned therein. Then, what did the Dominion of Canada, "assume?"

It assumed the penitentiary as then an established and declared "penitentiary," and its properties, liabilities and obligations, and also its "maintenance and management," as then it existed, in subjection to recognized rights of the Province, Canada recognized the full scope and effect of that assumption, and acted upon the laws of the Province then in force and the prevailing system, without comment or dissent, up to some time after the inspector of prisons, in his report for the year 1869 (I think), directed attention to the difference between the laws of New Brunswick and those of other Provinces on this subject, and to his opinion of the impropriety of imprisoning long and short-term prisoners in the same place of confinement. Can it be fairly contended in law or equity that the Dominion, in the absence of any declaration to that effect, assumed less of the "maintenance" of the penitentiary than was borne by New Brunswick? Was it for a moment so supposed or considered by any of the parties represented at Quebec and London; and, if any such proposition had been made, is it reasonable to suppose that the representatives of New Brunswick would have consented thereto, without some equivalent for the great expense thereby sought to be laid on the Province?

The words of the British North America Act are full, unlimited and unrestricted, as to the transference of the penitentiary properties and revenues to the Dominion, and are they less comprehensive as to the assumption of the attaching liabilities and obligations? and ought it now be determined by the Federal Government to restrict and limit the language and operation of the Act as to the "maintenance" of the penitentiary, to the serious pecuniary loss of New Brunswick, by legislation not foreshadowed by the B. N. A. Act, not contemplated in the discussion of the principles



and provisions and intentions of the Act or at all considered in the settlement of the financial terms of the Union, and in direct hostility to the laws of long recognized rights of the Province? I humbly submit that Canada assumed the "maintenance and management" of the provincial penitentiary of New Brunswick, now denominated by the legislation of the Parliament of Canada, the "penitentiary of St. John," as it was established and maintained and existed up to and at the time of Confederation, with all the liabilities and obligations, as well as the rights involved; and that the narrowing the responsibility by refusing to maintain the short-term prisoners in the manner proposed by the Federal Parliament is contrary to strict faith with the people of New Brunswick and the intention and reasonable interpretation of the B. N. A. Act. Nor can I for a moment see any force in the argument of the Hon. Minister of Justice that the recognition and preservation of the rights of this Province ought to be at all contingent upon the nature of the legislation on the same subject which obtained in other Provinces before Confederation. As the penitentiaries and prisons existed at the time of the Union in other Provinces they were accepted by Canada, and their management and maintenance assumed; and in like manner was the penitentiary at St. John and its management and maintenance assumed.

If the argument of the Honorable Minister of Justice is tenable, we have only to look, and look with amazement, at the length to which it may be carried. If Canada did not assume the maintenance of the penitentiary of New Brunswick as it was, under and subject to the obligations attached to it, and the laws relating to the admission of prisoners therein as then existent, it must follow that the Parliament of Canada may at any time, and from time to time, further relieve Canada by providing that prisoners sentenced for a term less than three or five years shall not be sent to the Dorchester Penitentiary; indeed it may go so far as to declare that only persons convicted of the greatest crimes, or sentenced for a long term of years or for life, shall be admitted there. The Parliament of Canada has the exclusive right to declare what shall be a "crime," and to constitute, so to speak, new "indictable offences;" and, as contended by the Honorable Minister of Justice, the right also to fix the sentences which may be passed upon persons convicted of crime, not only as to duration, but also as to the place of confinement; therefore, the practical and inevitable effect of such a concession to the Parliament of Canada, if unrestricted by the laws, liabilities and obligations which affected and attached to the penitentiaries at the date of Confederation, is to admit this absolute authority of the Dominion Parliament by one Statute after another, further to relieve Canada almost wholly from the responsibility of maintaining in prison prisoners convicted of crime declared to be criminals by Parliament, and to fix such sentences as to duration and place of confinement as the Dominion Parliament shall determine, and thereby throw a most vexatious and unforeseen burden and tax upon the people of this Province. But I do not pretend at this time, to exhaust even this branch of the discussion; and I cannot, under existing circumstances, proceed to the consideration of the other portions of the report of the Honorable Minister of Justice.

I submit the Government of this Province, if it agree with me that the report of the Honorable the Minister of Justice is open to very serious objection, may very fairly claim the privilege of discussing with the Federal Government, or the Honorable Minister of Justice, the conclusions he has reached in the matter and the premises from which those conclusions have been drawn. In the meantime, I recommend that this Government respectfully but firmly protest against the decision of the Honorable Privy Council.

Pending further discussion, however, it is quite clear that the laws of Canada, which affect the penitentiary at St. John in relation to short term prisoners will come into operation in a very short time.

If the Government of Canada decline to accept the contention of this Government as reasonable and equitable, and the principles of existing Dominion legislation must be considered irrevocably adopted as the final settlement of the whole matter, it will appear quite impossible for this Government, upon so short notice and in the

position in which they are unexpectedly placed, to consider and promote adequate legislation here for the serious contingencies which must arise on the first day of May next, when the time for receiving short term prisoners at the St. John Penitentiary may expire.

The 15th section of the Dominion Penitentiary Act, 1875 (30 Vic. chap. 44), as amended by the 20th section of the Act of 1877 (40 Vic., chap. 38), enables the Governor General in Council, at any time, to declare by proclamation that any tract of land established as a penitentiary shall cease to be a penitentiary, and such tract of land shall cease to be a penitentiary accordingly.

It appears from the report of the Hon. Minister of Justice that from information received from the Public Works Department he is led to believe that the Dorchester penitentiary will be ready for occupation about, if not before, the first day of May next; and he says: "It appears to me that under the powers of the Act referred to, the St. John penitentiary, when the Dorchester penitentiary is ready for occupation, shall be proclaimed to be no longer a penitentiary, and that negotiations should be entered into with the New Brunswick Government for the transfer, upon such terms as may be agreed upon, of that institution, in order that the Province may deal with the county and city of St. John for the future."

It must be observed that the time for the carrying forward negotiations between the two Governments for the transfer of the St. John penitentiary, upon terms to be agreed upon, is entirely too short, and that such transfer, if agreed upon, must be affected by legislation, which cannot be considered or promoted till the terms are settled and agreed upon. It is equally clear that negotiations with the city and county of St. John stand in precisely the same position, and they are not by any means the only difficulties which must arise as the natural result of the decision of the Hon. Privy Council. While it is understood that the city and county of St. John claim to have distinctive and definite interests and rights vested in the St. John penitentiary (as it is now called), which, it is alleged, were not destroyed or affected by the B. N. A. Act, that institution, for a long time before and at the time of Confederation, was, and hitherto has been, and is to-day, a provincial penitentiary, in which persons convicted of crime in any county of the Province have been imprisoned. It will be necessary, therefore, to call the attention of the city, town and county councils of the whole Province to the subject, and to enter upon negotiations with each—a process which must be tedious, protracted and difficult—in order to the adjustment of all the conflicting interests involved, and that provision may be made under the proposed new order of things for the punishment, by imprisonment somewhere and on some terms, of the short-term convicts of the respective counties.

It is therefore submitted that under these circumstances, and in view of the very great delay in answering the application of this Government on the subject, and in consideration of the very large and important interests involved, and the difficulties which must inevitably arise in the attempt to adjust the penitentiary legislation of the Dominion Parliament to the exigencies and circumstances of the respective counties of this Province, the Hon. Privy Council may very properly be asked; and I recommend that the Privy Council be asked to extend the time for the issue of the proclamation referred to until the first day of May, 1880.

This delay—not an unreasonable delay, under the circumstances—will afford an opportunity to present to the Government of Canada such further representations on the main question by the Government of New Brunswick as the Government of Canada may consent to receive, and also to consider and provide for such necessary negotiations and legislation as the nature of the case may demand.

WM. WEDDERBURN.

FREDERICTON, 17th March, 1879.

DEPARTMENT OF THE SECRETARY OF STATE OF CANADA,

OTTAWA, 27th March, 1879.

SIR,—I am directed to acknowledge the receipt of your despatch of the 22nd instant, covering a copy of a Minute of your Executive Council, and of its enclosure



on the subject of the penitentiary at St. John, and the imprisonment of short-term prisoners therein.

I have the honor to be, Sir, your obedient servant,

EDOUARD J. LANGEVIN, *Under Secretary of State.*

His Honor the Lieutenant Governor of New Brunswick, Fredericton.

# REPORT *RE* ST. JOHN, N. B., PENITENTIARY AS TO SHORT-TERM PRISONERS.

DEPARTMENT OF JUSTICE, OTTAWA, 29th December, 1878.

## *Re St. John N. B., Penitentiary :*

Some time ago Messrs. R. Young, John James Fraser and J. H. Crawford, at the instance of the Government of New Brunswick, addressed to the Secretary of State a communication upon the above subject.

The Government of New Brunswick have called attention to the matter and asked for a reply.

In the month of January, 1875, the justices of the city and county of St. John N. B., presented a memorial to His Excellency the Governor General upon the same subject.

No definite action has yet been taken in the matter, and as the time approaches for the completion of the new penitentiary at Dorchester it is necessary that a conclusion should be come to at an early date, as to the course to be pursued by this Government.

The present legislation of the Parliament of Canada with reference to the confinement of persons convicted of crime, in common gaols and penitentiaries, respectively, is as follows :—

(1869) 32-33 Vic., chap. 29, sec. 93.

“ When the term of imprisonment is for a term less than two years, such imprisonment shall, if no other place be expressly mentioned, be in the common gaol of the district, county or place in which the sentence is pronounced, or if there be no common gaol there, then in that common gaol which is nearest to such locality, or in some lawful prison or place of confinement other than the penitentiary in which the sentence of imprisonment may be lawfully executed.”

32-33 Vic., chap. 29, sec. 96.

“ Each of the penitentiaries in Canada shall be maintained as a prison for the confinement and reformation of persons, male and female, lawfully convicted of crime before the courts of criminal jurisdiction of that Province of which it is appointed to be the penitentiary, and sentenced to confinement for life or for a term not less than two years; and whenever any offender is punishable by imprisonment, such imprisonment, if it be for life, or for two years, or for any longer term, shall be in the penitentiary, but this shall not prevent the reception and imprisonment in any penitentiary of any prisoner sentenced for any period of time by any military, naval or militia court martial, or by any military or naval authority under any Mutiny Act, or of any prisoner sentenced in New Brunswick or Nova Scotia to imprisonment with hard labor for less than two years.”

(1869) 32-33 Vic., chap. 36, sec. 5.

“ Notwithstanding any provision in any of the Acts mentioned in schedule \*A, that any term of imprisonment less than two years shall be in some gaol or place of confinement other than the penitentiary, any offender sentenced under any such Act before the day last aforesaid, in New Brunswick or Nova Scotia, to imprisonment for a term less than two years, may, in the discretion of the court passing such sentence, be sentenced to undergo such imprisonment in the penitentiary of the Province where the sentence is passed, instead of being sentenced to undergo the same in any

\*N.B.—Schedule A includes the Act, chap. 29, above referred to.

other gaol or place of confinement, and any such provision as first aforesaid shall be construed subject to this section."

(1870) 33 Vic., chap. 30, sec. 5.

"For and notwithstanding anything to the contrary contained in an Act made and passed by the Parliament of Canada, in the Session held in the 32nd and 33rd year of Her Majesty's reign, and intituled 'An Act respecting procedure in Criminal Cases and other matters relating to Criminal Law,' or in any other Act of the Parliament of Canada, no person sentenced in New Brunswick or Nova Scotia to imprisonment with hard labor for less than one year shall be received or imprisoned in the penitentiary from and after the first day of May, which will be in the year one thousand eight hundred and seventy-three, nor after the first day of May which will be in the year one thousand eight hundred and seventy-four, shall any one sentenced in either of the said Provinces to imprisonment with hard labor for less than two years be received or imprisoned in the penitentiary."

(1873) 36 Vic., chap. 52.

"For and notwithstanding anything contained in the Act passed in the 33rd year of Her Majesty's reign, intituled 'An Act to amend the Penitentiary Act of 1868,' the period beyond which no person sentenced in New Brunswick or Nova Scotia to be imprisoned with hard labor for less than one year shall be received or imprisoned in the penitentiary, shall be extended to the first day of May which will be in the year of Our Lord one thousand eight hundred and seventy-five; and the period beyond which no person sentenced in either of the said Provinces to imprisonment with hard labor for less than two years shall be received or imprisoned in the said penitentiary shall be extended to the first day of May, which will be in the year of Our Lord one thousand eight hundred and seventy-six."

(1875) 38 Vic., chap. 44, sec. 68.

"For and notwithstanding anything to the contrary contained in the Act made and passed by the Parliament of Canada, in the Session held in the 32nd and 33rd years of Her Majesty's reign, and intituled 'An Act respecting Procedure in Criminal Cases, and other cases relating to the Criminal Law,' or in any other Act of the Parliament of Canada, no person sentenced in New Brunswick or Nova Scotia to imprisonment with hard labor for less than one year shall be received or imprisoned in the penitentiary from and after the first day of May, which will be in the year 1878, nor after the first day of May, which will be in the year 1878, shall any one sentenced in either of the said Provinces to imprisonment with hard labor for less than two years be received or imprisoned in the penitentiary."

(1878) 41 Vic., chap. 20.

"The 68th section of the Act of the Parliament of Canada, passed in the 38th year of Her Majesty's reign, chap. 44, intituled 'An Act respecting Penitentiaries and the Inspection thereof, and for other purposes,' is hereby amended by striking out in the 12th, 13th and 14th lines, the words 'seventy-eight,' and inserting in lieu thereof the words 'seventy-nine,' and by adding to the said section the words 'The Governor in Council may, from time to time, limit the number of persons sentenced in New Brunswick or Nova Scotia to imprisonment with hard labor for less than one year, who are to be received or imprisoned in the respective penitentiaries of those Provinces, regard being had in fixing such limit to the number of persons imprisoned whose sentences are not less than two years, and to the accommodation for prisoners afforded by the penitentiary building.'"

The communication from Messrs. Young, Fraser and Crawford, above mentioned, complains of the existing legislation respecting penitentiaries, in so far as it relates to New Brunswick, and their complaint is based in effect upon the three following grounds:—

(a.) That under the terms of the British North America Act, 1867, Canada is, by the words "establishment, maintenance and management of penitentiaries" (appear-



ing in the 28th sub-sec. of the 91st sec.) made liable for the maintenance and care of all prisoners punishable under the criminal laws of Canada, whether sentenced for two years or under, and that the Dominion Parliament cannot relieve itself of this burden by any legislation.

(b.) That whatever may be the liability of Canada in that respect as to the other Provinces, the words of the 28th sub-sec., just quoted, cast upon Canada, in respect of New Brunswick, the liability to maintain and provide for in the penitentiary all prisoners sentenced in that Province to imprisonment with hard labor, no matter what the term of imprisonment may be, because (it is alleged) at the time of confederation the penitentiary, as it then existed in that Province, was, in fact and in law, an institution where all such prisoners might be confined.

(c.) That should the two foregoing grounds be untenable, Canada is in any event liable to provide for the maintenance, in the St. John, N. B., penitentiary, of all prisoners sentenced in the city and county of St. John to short terms of imprisonment, because (it is alleged) an agreement in that behalf was made before Confederation with the municipal authorities of the city and county of St. John, and because upon Confederation Canada became liable for the liabilities of the Province.

The memorial from the justices of the city and county of St. John also complains of the existing legislation relating to penitentiaries, in so far as it relates to the city and county of St. John, N.B. The only ground relied upon, however, is the third one, referred to above as taken by Messrs. Young, Fraser and Crawford.

It will be convenient to discuss these three grounds in order :

(a.) That under the terms of the British North America Act, 1867, Canada is, by the words "establishment, maintenance and management of penitentiaries," made liable for the maintenance and care of all prisoners punishable under the criminal laws of Canada, whether sentenced for two years or under, and that the Dominion Parliament cannot relieve itself of this burden by any legislation.

This is entirely a question of law, depending upon the proper construction of the British North America Act, and upon the powers conferred by that Act upon the Parliament of Canada.

The question is one of vast importance.

The communication referred to contends that "whatever doubt may exist as to whether it is any part of the duty of the Provincial Legislature to provide for the punishment of prisoners convicted of offences against the laws of Canada, and whatever duties may be imposed upon the provincial authorities by the power to legislate upon the administration of justice, and the establishment, maintenance and management of public prisons, these duties are certainly limited by the obligation of the Dominion in respect of penitentiary management and maintenance," and it alleges that no technical meaning can be assigned to the word "penitentiaries" as it occurs in section 91 of the British North America Act.

In order properly to understand the constitutional question raised with respect to the legislation of the Parliament of Canada in respect of penitentiaries, the provisions of the British North America Act, 1867, must be referred to.

The 91st section does not merely give to the Parliament of Canada legislative authority over the classes of subjects specially enumerated in the section, but gives to that Parliament a general power to make laws for the peace, order and good government of Canada, in relation to all matters not coming within the classes of subjects specially assigned by the Act to the Legislatures of the Provinces; and the enumeration of the classes of subjects made by the section and declared to come within the legislative authority of the Parliament of Canada is made for greater certainty only—but not so as to restrict the generality of the terms of the section.

Among the classes of subjects enumerated in the section are the following:—

"27. The Criminal law, except the constitution of courts of criminal jurisdiction, but including the procedure in criminal matters."

"28. The establishment, maintenance and management of penitentiaries."

By section 92 the Legislature of each Province is empowered exclusively to make laws, not, as in the case of Canada, generally for the peace, order and good

Government of the Provinces, but in relation to certain specified classes of subjects only.

Among these classes are the following:—

“6. The establishment, maintenance and management of public and reformatory prisons in and for the Province.”

“14. The administration of justice in the Province, including the constitution, maintenance and organization of provincial courts, both of civil and criminal jurisdiction, and including procedure in civil matters in those courts.”

It is true that no technical meaning has been assigned to the word “penitentiaries,” as appearing in the 91st section, neither has any technical meaning been assigned to the word “prisons,” as appearing in the 92nd section.

That the statute assumes that a difference between penitentiaries and prisons does exist is unquestionable.

The words themselves have no definite, distinctive meaning.

There must, therefore, be power somewhere to declare what the difference between them is, as the B. N. A. Act does not itself declare it.

The difference cannot be looked for in the structure of the buildings themselves. It must, I think, be found in the powers possessed, so to speak, by the penitentiaries and prisons, respectively, to retain in custody those who may be sent there for confinement.

If such be the case, it must follow that the legislative body which has the authority to fix the sentences which may be passed upon persons convicted of crime, not only as to duration but also as to the place of confinement, has practically the power to declare the difference between a penitentiary and a prison.

I am of opinion that this power rests with the Parliament of Canada, under the 91st section of the B. N. A. Act, and that the power to legislate upon criminal law, including procedure in criminal matters, taken in connection with the general power to make laws for the peace, order and good government of Canada, gives to the Parliament of Canada the right to declare what the minimum sentence of a person confined in a penitentiary established, maintained and managed by Canada, must be. The power of the Provincial Legislature is confined to the establishment, maintenance and management of public and reformatory prisons in and for the Provinces, and does not extend to the right to define the class of persons charged with or convicted of offences against the law to be confined in these prisons.

The duty of the provincial authorities is to provide for the administration of justice in the Provinces and to establish prisons therein, leaving it to the Parliament of Canada to provide for the proceedings to be taken for the trial of offenders, and to declare in what place those convicted upon their trial shall be punished.

*Second, B.*—That whatever may be the liability of Canada in that respect as to the other Provinces, the words of the 28th sub-sec., just quoted, cast upon Canada, in respect of New Brunswick, the liability to maintain and provide for, in the penitentiary, all prisoners sentenced in that Province to imprisonment with hard labor, no matter what the term of imprisonment may be, because (it is alleged) at the time of Confederation the penitentiary, as it then existed in that Province, was, in fact and in law, an institution where all such prisoners might be confined.

In support of this ground, the memorial refers to the Revised Statutes of New Brunswick, cap. 91, sec. 14, which enacted that whenever by any law authority is or may be given to imprison any person in any house of correction, or gaol, with hard labor, or in the penitentiary, such imprisonment may be in the penitentiary with hard labor, and it is contended in effect that as to New Brunswick the word “penitentiaries” in the British North America Act, is to be construed in the sense in which that word was understood in that Province at the time, and that such understanding was that the penitentiary was a place to which all persons sentenced with hard labor might be sent.

If the argument thus made be sound, it follows that the British North America Act is to be construed as limiting the power of the Parliament of Canada to legislate in respect of penitentiaries, in any particular Province, so far as the right to define the classes of persons to be confined there is concerned, to the state of the law exist-



ing in that Province with respect to its penitentiaries at the time of Confederation.

It is not necessary in this particular case to consider how far this argument would hold good were the legislation respecting penitentiaries in each Province at the time of Confederation identical—as in this instance the laws of the various Provinces, which were formed into the Dominion of Canada, were not identical (in the late Province of Canada a penitentiary was a place for the confinement of persons whose sentences were not less than two years).

The result, therefore, of the argument referred to, would be that the word “penitentiaries” would, as to the Province of New Brunswick, have one meaning, and as to the Provinces of Ontario and Quebec, another meaning.

I am not prepared to adopt such a construction of the statute.

It may well be, that under the 129th section of the British North America Act, 1867, the laws with respect to penitentiaries in force in New Brunswick at the Union, continued in force after the Union, but the section expressly declares these laws (except such as existed under Acts of the Imperial Parliament) to be subject to be repealed, abolished or altered by the Parliament of Canada or by the Legislature of the Province, according to the authority of the Parliament or of the Legislature under the Act.

For the reasons mentioned in dealing with the first ground taken by the memorialists, I am of opinion that the authority to repeal, abolish or alter the laws in force in New Brunswick at the time of Confederation, with respect to the penitentiary there, rests with the Parliament of Canada, and that therefore the legislation of the Parliament of Canada, made with respect to the New Brunswick Penitentiary, is not *ultra vires*.

*Third, C.*—That should the two foregoing grounds be untenable, Canada is in any event liable to provide for the maintenance, in the St. John, N.B., penitentiary, of all prisoners sentenced in the city and county of St. John, N.B., to short terms of imprisonment, because it is alleged an agreement in that behalf was made before Confederation with the municipal authorities of the county and city of St. John, and because upon Confederation Canada became liable for the liabilities of the Province.

As this ground depends not upon law merely, but upon matters of fact, it is necessary to trace the history of the St. John penitentiary.

That appears to be as follows: In the year 1836 (6 William IV, cap. 50) an Act was passed by the Legislature of the Province of New Brunswick giving power to the justices of the city and county of St. John to erect a house of correction for a sum not exceeding £4,000. The year following (7 William IV, cap. 19) the sum was raised to £10,000, and the justices were authorized to borrow a sum not exceeding £8,000. In the next year (1 Vic, cap. 15) the justices were authorized to establish the house of correction.

The building had apparently by this time been finished.

In the following year (2 Vic., cap. 30) the regulation and government of the house of correction was provided for.

Two years afterwards (4 Vic., cap 36) an Act was passed granting the justices £1,000 towards the cost of the house of correction.

Then came the 4th Vic., cap. 44, which requires a more extended reference.

It recites the erection of the building and its establishment as a house of correction, states that its establishment is found to be highly advantageous to the interest of the city and county of St. John, and that it is found advisable to extend its benefits to the country at large; and it enacts that a complete statement of all the costs and charges incidental to the erection of the establishment of the said house of correction is to be made up and verified; it is to be forwarded to the Lieutenant-Governor of the Province, who is to examine it, with all the accounts relating to the house of correction.

That so soon as the accounts have been found to be correct, notice thereof is to be given to the mayor of the city of St. John, and that the justices are thereupon, in session, to declare and order that the house of correction and lands, &c., held therewith, shall be vested in Her Majesty, and that the same shall thereupon become vested in Her Majesty without any further act or deed of conveyance.

The Act further enacts that the sum which may be due and owing for the erection of the house of correction and grounds, and for which county debentures might have been issued, shall be paid by the treasurer, with interest which had accrued or may accrue thereon, out of moneys in the treasury, by warrant of the Lieutenant-Governor, provided that no greater sum than £4,000 shall be drawn from the treasury, nor any greater sum than £500 in any one year.

Then follow provisions for the appointment of commissioners for the management of the house of correction.

Then comes sections 14 and, 15 which are as follows:—

XIV. "And be it further enacted that it shall and may be lawful for the mayor, recorder and aldermen of the said city, or either of them, and Her Majesty's justices of the peace for the said city and county for the time being, or either of them, to take up and arrest, or by warrant to order to be taken up and arrested, all and any rogues, vagabonds, stragglers, idle, suspicious or disorderly persons, within the said city and county, and to order such rogues, vagabonds, stragglers, idle, suspicious or disorderly persons to be committed to the said house of correction, there to remain and be kept to hard labor for any time not exceeding forty days."

XV. "And be it further enacted that it shall and may be lawful for the justices of the peace in and for any county, or city and county, of this Province, in general sessions, or in any special sessions to be for that purpose held, to cause all prisoners sentenced to imprisonment with hard labor, and all vagrants, rogues, vagabonds, stragglers and other idle, suspicious or disorderly persons at such time in confinement in the common gaol or workhouse of the said county, or city and county, under and by virtue of any conviction, to be removed from such common gaol or workhouse, and to be carried, conveyed and taken to the said house of correction, and to make such necessary orders and regulations for the carrying, conveying and taking such persons, together with the necessary costs and charges of the same, as to them, the said justices, may seem fit; and the keeper of the said house of correction shall forthwith receive such person or persons into his custody, and the said person or persons, when so removed and placed in the said house of correction, shall remain there and be kept at hard labor until the several and respective terms of imprisonment shall expire."

In the next year (5 Vic., cap. 25) an Act was passed making further provisions relating to the house of correction, and giving it the name of the provincial penitentiary.

In the same year a grant was made to the justices of the city and county of St. John of the sum of £2,063 5s., to reimburse advances made in respect of the house of correction.

In the next year (6 Vic., cap. 14) the powers of the provincial penitentiary were enlarged by statute, and a small angle off the old ground given back to the justices.

Three years afterwards (9 Vic., cap. 56) a grant was made to the justices of the sum of £2,544, balance of the £4,000 under the Act 4 Vic., cap. 44, above referred to.

Two years afterwards (11 Vic., cap. 28) another Act was passed relating to the management of the provincial penitentiary.

Then came the Revised Statutes, chap. 91, sections 12, 13 and 14 of which are as follows:—

12. "Any justice of the city and county of St. John may arrest or cause to be arrested any vagabond, suspicious or disorderly person within the said city and county, and commit them to the said penitentiary for any term not exceeding 40 days, with hard labor."

13. "The justices, in any general or special sessions, may cause all persons sentenced to imprisonment with hard labor, and all vagabonds and other suspicious or disorderly persons at any time in confinement in the gaol or workhouse of the county, under any conviction, to be removed therefrom and conveyed to the penitentiary, and may make such orders for their conveyance and the necessary expenses thereof as to such justices may seem meet, and the keeper shall forthwith receive



such persons into his custody, and keep them at hard labor until their respective terms of imprisonment expire."

14. "Whenever, by any law, authority is or may be given to imprison any person in any house of correction or gaol, with hard labor, or in the penitentiary, such imprisonment may be in the penitentiary with hard labor."

No change in the above statute appears to have been made up to the time of Confederation.

By the B. N. A. Act, 1867, sec. 108, the public works and property of each Province enumerated in the 3rd schedule shall be the property of the Dominion.

In the 3rd schedule is the following:—

"8. Custom houses, post offices and all other public buildings, except such as the Government of Canada appropriate for the use of the Provincial Legislatures and Governments."

The Dominion Parliament, in 1868, 31 Vic., cap. 75, by sec. 1, repealed such parts of the Revised Statutes of New Brunswick (cap. 91) as related to the penitentiary of New Brunswick, as were inconsistent with the provisions of the Act, and by sec. 7 declared the penitentiary known as the St. John penitentiary to be a penitentiary of Canada.

The memorial of the justices states:—

"That part of the terms of transfer made and agreed upon by and between the said justices and the Province of New Brunswick was the reservation to the said justices of the right in perpetuity to commit to the said house of correction or penitentiary all vagabonds, suspicious and disorderly persons within the said city and county; and the further right, in common with all the other counties of the Province, to cause all persons sentenced to imprisonment with hard labor, and confined in the county gaol, to be removed therefrom to the said house of correction or penitentiary, as by reference to the 14th and 15th sections of the said recited Act will more fully appear;" also,

"That up to the time of the confederation of the said Provinces the rights thus reserved and secured to the said city and county were never questioned, but, on the contrary, were fully recognized and maintained in the year 1854 by the Government and Legislature of the Province, as will appear by reference to the Revised Statutes of the Province, passed in that year, cap. 91, secs. 12, 13 and 14."

The memorial further complains that the statutes passed by the Dominion Parliament, with reference to the New Brunswick penitentiary,

"Do not recognise, in any way, the clear and inalienable rights of the said city and county of St. John, reserved as above mentioned by the said Acts of Assembly, and subject to which the said lands and buildings were originally transferred to the Provincial Government."

"That as your memorialists conceive it is a matter of public faith that the rights reserved to the said city and county should have been specially regarded and maintained by the Dominion Legislature and Government, as they doubtless would have been by the Assembly and Government of New Brunswick, had Confederation not taken place."

The memorial then prays: "That Your Excellency will cause the subject matters of this memorial to be enquired into, and if the statements therein set forth and contained be found correct and true—and your memorialists believe they cannot be gainsaid or disputed—direct such steps to be taken as will ensure to your memorialists and the said city and county of St. John the continuation in perpetuity of the rights so reserved as aforesaid, or that such other provisions for dealing with the class of convicts which, under the existing law, will shortly be shut out from the said penitentiary, may be made in the premises as will relieve this city and county from the great loss and detriment to which it would be subject, and will also prevent the violation of the terms upon which the institution and premises aforesaid passed out of the said sessions, and subsequently became the property of the Dominion of Canada."

Enquiry was made from the warden with reference to the allegations of the memorialists as to the arrangements upon which they relied.

He reports that he made enquiry of Mr. Weldon, Q.C. (then agent of the Minister of Justice at St. John); Mr. Harding, sheriff; Mr. Frith, clerk of the peace; Mr. Keans, M.P.P., and Mr. Wedderburn, M.P.P., several of whom had been delegates to Ottawa on the subject; and he adds that all these gentlemen state that they had no written agreement on the subject in their possession, but that whatever documents there are in writing are in the offices of the Hon. Premier and the Hon. the Minister of Justice, at Ottawa.

No trace of any such documents can be found in the Department of Justice, and the Secretary of the Department of Public Works reports the same result as to that Department.

The warden states, further, that all these gentlemen say that an agreement was made, or that there was an understanding that the short-term prisoners should be sent from the city and county of St. John to the penitentiary.

Mr. Weldon's report to the warden refers to the Act. He states that subsequent enactments in the different Police Acts of St. John and Portland empowered the respective police magistrates to commit from these courts. He adds that there does not appear to be any special agreement except, that when the Province assumed the charge and it became a provincial institution it was tacitly agreed that it should still continue a house of correction for this city and county.

Mr. Sheriff Harding's letter refers to the Revised Statutes as showing that in lieu of the interest of the city and county in the institution, the special powers referred to were given to the justices.

Mr. Frith, clerk of the peace, says that it was part of the consideration of the transfer that the city and county should always have the right of sending petty criminals and offenders thereto, either by direct sentence or by order of the sessions, from gaol. He also referred to the Revised Statute as containing the right.

A despatch was sent to the Lieutenant-Governor of New Brunswick for information upon the payments in respect of the erection of this building.

A reply to this despatch was received, inclosing a statement prepared by Mr. H. W. Frith, the clerk of the peace of the city and county of St. John, informing the Secretary of State that an accurate statement of the expenditure could only be obtained from that source, and that the payments made by the Province on account of this expenditure appear to be accurately stated.

The letter of the clerk of the peace to the mayor of St. John, dated 8th February, 1876, is as follows:—

"In compliance with your request to be furnished with information as to the settlement of accounts between the sessions of the city and county of St. John and the Provincial Government of New Brunswick, upon the transfer of the house of correction, afterwards known as the provincial penitentiary, from the sessions to the Government, I beg to say I have examined the minutes of the sessions from 1839 to 1856, and all Acts of Assembly relating to the matter; and I have also had consultation with the high sheriff of St. John, who, at different times, has gone very thoroughly into the history of the negotiations which took place during the period above named. The results of my investigations are as follows:—

"1. An account, of which I append a copy, was, with full details of cost and expenditure, furnished to the Provincial Government by the session in July, 1842, showing the balance claimed on erection accounts—the balance being £5,433 13s. 11d.

"2. This account seems to have been disputed by the Government, and to have remained under discussion until 1844, when a letter was received by the mayor of St. John from the Hon. W. F. Odell, Provincial Secretary, dated the 15th February, 1844, and enclosing the report of the Commissioners of Audit, appointed under the Act of 1841, admitting a balance to be due the sessions of £4,866 3s. 8½d.

"3. In March, 1844, this adjustment was accepted by the sessions, and the order was then made which finally vested the house of correction, or penitentiary, as it was then called, and the land belonging to it, in Her Majesty the Queen.



"4. Although this adjustment of accounts and formal transfer of title did not take place until March, 1884, the control and management of the penitentiary passed over to the Province on the 1st April, 1842.

"5. It will be seen, by reference to the Act of 1841, that the sum of £4,000 was to be paid the session by annual instalments of £500 each, which seems to have been done; and by reference to the Acts of 1844 (page 69), that the sum of £866 6s. 8d. was further granted as the balance due the sessions for the erection of the provincial penitentiary.

"6. Notwithstanding this settlement, however, it appears, by subsequent minutes of the sessions, and also by preamble of an Act passed in 1852, 15 Vic., cap. 41, that the city and county of St. John was still liable for a large amount due and unpaid upon debentures or bonds issued for the erection of the house of correction, and by this Act authority was given the sessions to make an assessment in the city and county for the purpose of paying off the principal and interest.

"7. Under this Act the sum of £600 was assessed in each of the years 1853, 1854 and 1855, and £400 in 1856, so that the city and county of St. John paid at least the sum of £2,200, which was not reimbursed by the Government.

"8. At this date, when all the members and officers of the Sessions who were personally acquainted with the matter above mentioned are dead, it is almost impossible to cull from the minutes alone any thoroughly accurate or trustworthy account of proceedings which took place so long ago; but the Act of 1841, and the provisions thereof, re-enacted by chapter 91 of the Revised Statutes, which reserved the right to the justices and sessions of St. John to send such offenders as vagabonds and disorderly persons, and all convicts in the gaol, to the provincial penitentiary, were evidently the result of a bargain and compact formed, and part of the consideration for which the transfer was made."

Copy of account referred to above:—1842. July 12th: To amount of account annexed for the entire cost of establishing and erecting house of correction, £13,501 19s. 3d.—*Contra* :

By legislative grant, 1838.....	£2,000	0	0
do 1839.....	1,000	0	0
do 1839.....	500	0	0
do 1840.....	1,500	0	0
do 1841.....	1,000	0	0
do 1842.....	2,068	5	4
Balance due the justices.....	£5,433	13	4

It will be observed that the allegation of the memorial as to the agreement is not sustained by any evidence, either oral or documentary, establishing any express agreement.

It is contended, however, that an agreement is established by the language of the Act of 1841, above referred to.

It is necessary, therefore, to consider the terms of that Act, in order to decide whether it does or does not support the contention.

It will be observed that the preamble of the Act asserts that the establishment of the house of correction in its operation is found to be highly advantageous to the city and county of St. John, and that it is found advisable to extend the benefit of its operation to the Province at large.

It will be further observed that the Act provides for the payment by the Province of the whole expense incurred by the justices in the erection and establishment of the institution, including the various sums borrowed for the purpose.

There is, however, under the Act, a limitation of £4,000 as the maximum, but it will be remembered that as this sum was found insufficient, it was afterwards supplemented, evidencing an intention on the part of the Province to reimburse the justices all moneys expended by them.

It will be observed that the 14th section of the Act makes it lawful for the mayor, &c., of the city, and the justices of the city and county of St. John, to commit rogues, vagabonds, &c., to the house of correction for a period not exceeding 40 days. That the 15th section makes it lawful for the justices in any county in the Province to order prisoners in the common gaols or workhouse to be transferred to the penitentiary and kept there until the expiration of their sentences. The effect, therefore, of the 14th and 15th sections, appears to be as follows:—

The 14th section empowers the mayor, recorder and aldermen of the city, in common with the justices of the peace of the city and county of St. John, to send rogues, &c., to the house of correction for any time not exceeding 40 days.

The 15th section empowers the justices of the peace only for any county or city and county in the Province in general, or special sessions, to cause all prisoners sentenced to imprisonment with hard labor, and all vagabonds, rogues, &c., confined in any common gaol or workhouse, by virtue of any conviction, to be removed from such gaol or workhouse and taken to the house of correction.

The agreement relied upon, if established by the statute at all, must be found, not in the 14th section, as that refers to certain classes of persons only whose sentences are not more than 40 days.

If contained in the statute at all, it must be in the 15th section, which includes not only rogues, vagabonds, &c., but all persons confined in the common gaols, sentenced with hard labor, and is not limited to sentences of 40 days.

If this 15th section proves any agreement, it proves that the agreement was as much with all the other counties in the Province as with the city and county of St. John.

It is not pretended that such agreement was made with the other counties. The argument, therefore, that the 15th section proves the agreement relied upon, or indeed any agreement at all, seems to me to be untenable.

The permission given to the city and county of St. John to send prisoners for not more than 40 days to the house of correction certainly does not establish the agreement contended for by the justices, as such permission falls far short of the terms of that agreement. The permission thus given would appear explainable by the fact that the house of correction was situated within the limits of the county.

Had the Legislature not contemplated payment in full of the justices of the city and county of St. John of the moneys expended in the erection and establishment of the institution, there might be some reason for the contention made that the agreement referred to had been entered into; the statutes, however, evidently contemplated payment in full to the justices.

It is indeed alleged in Mr. Frith's letter, above set out, that payment in full has not been made, and reference is made to the fact that legislation afterwards took place, enabling the city and county to raise a further sum of £220 in order to meet the deficiency.

It does not, however, appear that the whole amount paid by the city and county of St. John was not reimbursed by the Government; on the contrary, the account appears to have been fully audited, and the amount first claimed by the city and county being reduced, it seems to have been satisfied. The necessity of the legislation referred to by Mr. Frith, enabling the city and county to raise a sum of £2,200, probably arose from the fact that the payments made by the city and county consisted in part of sums raised by debentures which had not matured at the time the money was paid by the Government, and that such money was applied by the city and county to other purposes, thus rendering it necessary, on the maturing of the debentures, to raise money to meet them.

I do not, of course, say that such was the case, as the papers before me do not show it—that such was the case, however, is probable; but whether the whole money was repaid by the Government or not, it is clear from the Statutes that the intention of the Province was that the whole amount should be repaid; and should it even yet turn out that some small sum was not in fact paid, that fact cannot affect the question of the intention of the parties.



It is, of course, quite inconsistent with the existence of an agreement such as relied upon by the justices that the intention should have been to reimburse them their whole outlay, as the only consideration alleged to support such an agreement would, had it been intended to pay the justices in full, be removed.

If the memorialists have failed, as I think they have failed, to establish, either expressly or impliedly, the agreement relied upon, it is hardly necessary to refer to the probabilities of the case, or to consider whether, under the circumstances, it was probable that such an agreement would have been made.

It will, however, not be useless to refer to these probabilities.

It will be remembered that the right claimed by the justices is the right in perpetuity to commit persons to the penitentiary, there to be held—previous to Confederation—at the expense of the Province, and now, since Confederation, at the expense of the Dominion of Canada.

The memorial states: "That a reference to the statistics of the said penitentiary, from its establishment, will show that fully ninety per cent. of all the convicts sent thereto are from the city and county of St. John; and that of these, above ninety-five per cent. are under two-year convicts."

The following figures, furnished by the warden, show the yearly average number of convicts confined in the St. John penitentiary, whose sentences are two years and over, and less than two years, respectively, from 1st July, 1867, to 31st December, 1878, with the total yearly cost, and cost *per capita*:—

Period.	Two years and over.	Less than two years.	Total cost.	Cost <i>per cap.</i> less than 2 years.	Cost <i>per cap.</i> two years and over.
			\$ cts.	\$ cts.	\$ cts.
July to December, 1867.....	27	90	10,426 40	89 54	91 39
January to December, 1868.....	28	82	14,555 93	131 96	133 39
do 1869.....	30	61	19,546 94	212 05	220 39
do 1870.....	32	59½	17,960 60	195 22	199 30
do 1871.....	29	43½	16,072 32	220 95	224 08
do 1872.....	31½	42½	16,219 59	217 72	223 53
do 1873.....	26¾	61	20,635 24	233 82	238 96
do 1874.....	29½	65	21,079 30	220 19	230 69
do 1875.....	40	58	24,209 76	241 95	254 40
do 1876.....	64	69	23,651 61	173 25	182 76
do 1877.....	74	89	25,947 84	154 84	164 42
do 1878.....	74½	79½	25,563 20	150 16	174 41

The Inspector of Penitentiaries states that the cost of the prisoners, whose sentences were less than two years, from 1st July, 1867, to 31st December, 1878, was as follows, viz :—

July to 31st December, 1867.....	\$8,058 60
January to December, 1868.....	10,820 62
do do 1869.....	12,935 05
do do 1870.....	11,583 05
do do 1871.....	9,574 49
do do 1872.....	9,216 81
do do 1873.....	14,262 02
do do 1874.....	14,312 35
do do 1875.....	14,033 10
do do 1876.....	11,954 25
do do 1877.....	13,780 76
do do 1878.....	12,613 26

\$143,144 36

From the above statements it will be observed that the proportion of short-term prisoners largely exceeds that of prisoners whose sentences are two years and over, and that according to the calculation of the inspector the cost for short-term prisoners has been no less than \$143,144 36, or at the rate of \$12,447.55 per annum.

According to the statement of Mr. Frith above referred to, the most which he claims to be due the justices, as balance on account of the house of correction, is £2,200, or, in round numbers, \$9,000.

If the statements in the memorial be true, that the statistics of the penitentiary, from its establishment, show that fully ninety per cent. of all the convicts sent thereto are from the city and county of St. John, and that of these above ninety-five per cent. are under two year convicts—the cost to the Province of New Brunswick for the short-term prisoners sent to the penitentiary from the city or county of St. John, for the 25 years which elapsed between 1841 and Confederation—must have largely exceeded the total cost to the Dominion for the ten years since Confederation.

As a matter of probability, therefore, is it likely that for the sum of \$9,000 an agreement which would throw upon the Province at large so great an expenditure for the benefit of one county and city only, would have been made by that Province in such a way that such agreement could not, without breach of faith on the part of the Province, have been changed by Parliament, should it at any future time be found desirable in the public interests to throw upon each county the cost of maintaining its own short-term prisoners?

Upon the whole, I am of the opinion that the city and county of St. John, at the time of Confederation, had not the right to claim from the Province of New Brunswick the maintenance, continuously, of their short-term prisoners, and that it would not have been a breach of faith on the part of the Provincial Legislature, if it thought a change in the policy of the law advisable, to provide that each county in the Province, including the county of St. John, should maintain its own short-term prisoners, and that the provincial institution should be reserved only for prisoners whose sentences were two years and over.

But if a different view should be taken, and should it be determined that there was a bargain by which New Brunswick was bound in perpetuity to maintain and keep the short-term prisoners of St. John and county, the next question is, upon whom has devolved that liability?

I apprehend it to be clear that any such liability, if to be undertaken by Canada, has to be undertaken only as one of the liabilities of one of the Provinces existing at Confederation, and is to be really borne by the Province itself. In this view it is, in one sense, of very little consequence whether the liability devolves upon Canada or not.

But does it devolve upon Canada? That it does, is, I think, very questionable. It will be remembered that the Province is charged with the administration of justice, both civil and criminal in the Province. Assuming the agreement relied upon by the justices to exist, what is its effect? It is in effect a bargain between the Province and one of the corporate bodies of the Province, by which certain expenditure connected with the administration of justice, wholly local in its character, is to be borne by the Province at large instead of by the particular locality.

If such a liability exists, should it not be adjusted directly by the Province, as a part of the administration of justice therein?

It is obvious that it would be impossible, at the expense of Canada, to maintain the short-term prisoners of one county and city of the Province, while throughout the rest of the Dominion like prisoners are maintained under the provincial regulations and at local expense.

It has been pointed out that the time for receiving short-term prisoners at the St. John penitentiary has been extended to the 1st of May, 1879.

From information received from the Public Works Department, I am led to believe that the Dorchester penitentiary will be ready for occupation about that time, if not before.



The 15th sec. of the Penitentiary Act of 1875 (38 Vic., cap. 44), as amended by the 20th sec. of the 40 Vic., cap. 38 (1877), enables the Governor in Council, at any time, to declare, by proclamation, that any tract of land established as a penitentiary shall cease to be a penitentiary, and such tract of land shall cease to be a penitentiary accordingly.

It appears to me that, under the powers of this Act, the St. John penitentiary, when the Dorchester penitentiary is ready for occupation, shall be proclaimed to be no longer a penitentiary, and that negotiations should be entered into with the New Brunswick Government for the transfer, upon such terms as may be agreed upon, of that institution, in order that the Province may deal with the county and city of St. John for the future.

Should this report be approved, I recommend that the conclusions above reached as to the memorial of the justices, be communicated to the mayor of St. John, in their behalf, and that a copy of this report be sent to the Lieutenant-Governor of New Brunswick, for the information of his Government.

Z. A. LASH, *Deputy of the Minister of Justice.*

I concur in the above report.

JAMES McDONALD, *Minister of Justice.*

### RETURN

(80)

To an ADDRESS of the HOUSE of COMMONS, dated 10th March, 1880;—For all correspondence between the Government of New Brunswick and the Government of the Dominion, concerning certain claims made by the former Government against the latter, since the 1st day of March, 1879; also all Orders in Council since that date, referring to or dealing in any way, by ordering payment or otherwise, with said claims.

By Command,

J. C. AIKINS, *Secretary of State.*

Department of the Secretary of State, 22nd March, 1880.

On a report, dated 14th February, 1880, from the Hon. the Minister of Finance, stating that he has had under consideration the respective claims advanced by the Government of the Province of New Brunswick, through the delegates who recently visited Ottawa for that purpose, which claims are four in number, and are as follows:—

A claim for \$10,060 on account of immigration expenditure for the fiscal year 1874-75.

The second claim is that the short-term prisoners should be received into the new general penitentiary for the Maritime Provinces, and at the expense of the Dominion.

The third claim urged by the delegates arises out of the peculiar position of the Tracadie Lazaretto, and the delegates claimed that the management of the establishment and the lepers of the district should be assumed by the Dominion Government.

The fourth claim arises out of the construction of that part of the Intercolonial Railway, 37½ miles in length, between the Shediac branch and the boundary of the Province of Nova Scotia.

The Committee concur in the views and recommendations submitted in the report of the Minister of Finance, and advise that the same be approved and acted on.

L. R. MASSON.

Approved, 18th February, 1880.

LORNE.

The undersigned has the honor to report that he has had under consideration the respective claims advanced by the Government of the Province of New Brunswick, through the delegates who recently visited Ottawa for that purpose.

The claims are four in number, and are as follows:—

A claim for \$10,000 on account of immigration expenditure for the fiscal year 1874-75.

On enquiry into this claim, the undersigned finds that the Dominion Government, for two or three years prior to 1874, in pursuance of an agreement made with the Provinces, had asked and procured from Parliament an annual grant of \$70,000 to the several Provinces for the encouragement of immigration; in the Session of 1874, when the Estimates for 1874-75 were submitted to the House of Commons, this grant was, however, omitted; but in anticipation of the grant the Province of New Brunswick had made arrangements to carry out the service, and acting in good faith during the fiscal year in question, the Government of the Province made expenditures on immigration service to an extent of between \$60,000 and \$70,000.

The undersigned recommends, in this case, that an amount of \$10,000 be placed in the Supplementary Estimates of the present fiscal year about to be laid before Parliament.

Notwithstanding Council has already decided upon a course of conduct in reference to the second claim, the undersigned considers it better, for the sake of uniformity, to embody it in this report, in order that the matters of the Province may be complete.

The second claim is that the short-term prisoners should be received into the new general penitentiary for the Maritime Provinces, and at the expense of the Dominion; the claim being founded on the fact that under the terms of the Union such prisoners have been received and maintained since Confederation in the St. John penitentiary.

Council has already decided on this point, that a case should be prepared and approved by both parties, and submitted to the Supreme Court of the Dominion.

The third claim urged by the delegates arises out of the peculiar position of the Tracadie Lazaretto, and the delegates claimed that the management of the establishment and the lepers of the district should be assumed by the Dominion Government, and that the expenditure in connection with the establishment should be paid from Dominion funds.

The undersigned cannot but think that there are grounds why this special service should be looked after and controlled by the Federal Government, and that this may be accomplished by either one of two methods, and he therefore recommends that either an Act be prepared for the purpose of placing the Lazaretto under the control of the Department of Agriculture, or that Parliament be asked to grant a vote in aid of the establishment.

The fourth claim arises out of the construction of that part of the Intercolonial Railway,  $37\frac{1}{4}$  miles in length, between the Shediac branch and the boundary of the Province of Nova Scotia. The delegation stated that this section was constructed by a company aided by funds from the Government of New Brunswick, and that the value placed upon it was based upon the amount of the first tenders received for the construction of the Intercolonial Railway. They claim that this basis of value, as shown by subsequent experience, was far too low, and as evidence they mention that although the contribution of their Province towards its construction was \$400,000, the Government only received \$250,000, and, under the circumstances, the delegation claim that the section should be re-valued, and that any excess over the amount of the original value should be paid to the Province.

The undersigned suggests that as this claim has been formally made, it is due to the Government of New Brunswick that the basis and grounds of the claim should be examined into, and he therefore recommends that the Hon. Minister of Railways do prepare and submit all the information he can obtain, and that for the purposes of Council such information be procured as early as practicable.

Respectfully submitted.

S. L. TILLEY, *Minister of Finance.*

FINANCE DEPARTMENT, OTTAWA, 14th February, 1880.

All which is respectfully submitted,

L. R. MASSON, *President.*

PRIVY COUNCIL CHAMBER, OTTAWA, 18th February, 1880.

MONDAY, 22nd March, 1880.

Mr. MacDonell (Inverness) moved that the House do now go into Committee of the Whole, to consider the following resolutions:—



1. Resolved, That the sum of \$5,500,000 paid by the Government of the United States to the Government of the United Kingdom, under the fishery award, was the ascertained amount of the excess in value of the privileges accorded under articles eighteen and thirty-two of the Washington Treaty to the citizens of the United States, over and above the privileges accorded by articles nineteen and twenty-one of said treaty, to the subjects of Her Britannic Majesty.

2. Resolved, That the privileges so accorded to the citizens of the United States consist in the "liberty to them, in common with the subjects of Her Britannic Majesty, to take fish of every kind, except shell fish, on the sea coast and shores, and in the bays, harbors and creeks of the Provinces of Quebec, Nova Scotia, New Brunswick, Newfoundland and Prince Edward Island, and of the several islands thereunto adjacent, without being restricted to any distance from the shore, with permission to land upon the said coasts and shores and islands, and also upon the Magdalen Islands, for the purpose of drying their nets and curing their fish, provided that in so doing they do not interfere with the rights of private property, or with British fishermen, in the peaceable enjoyment of any part of the sea coast, in their occupancy for the same purpose." It being understood by the high contracting parties that the said liberty applies solely to the sea fishery.

3. Resolved, That the said privileges accorded to the citizens of the United States were territorial rights belonging to the different Provinces to which the fisheries in which they were granted are adjacent, respectively.

4. Resolved, That the disadvantages and injury suffered by reason of the granting of said privileges to the citizens of the United States are of a local nature, and are suffered by the inhabitants of the several Provinces upon whose coasts the said privileges are enjoyed.

5. Resolved, That the Government of the United Kingdom have apportioned and paid to the said Province of Newfoundland the sum of \$1,000,000 as the estimated portion of the amount of said award to which the said Province was entitled, for such of the said privileges granted to the inhabitants of the United States as are enjoyed by them on the coasts and sea shores of Newfoundland.

6. Resolved, That the balance of the amount of the said award, viz., \$4,490,882.94, has been handed over by the Government of the United Kingdom to the Government of Canada.

7. Resolved, That it is the opinion of this House that the said other Provinces of Quebec, Nova Scotia, New Brunswick and Prince Edward Island, notwithstanding that they form a part of the Confederation of Canada, have each claims and rights to distributive shares of the said amount of said award, according to the extent to which the said privileges were enjoyed on their respective sea coasts and shores, on the same principles on which the claims and rights of Newfoundland were recognized—and that the said claims and rights of the said other Provinces have not been impaired by the fact that they form a portion of said Confederation.

And a debate arising thereon;

Mr. Richey moved, that the debate be adjourned; which was agreed to on the following division:—

Yeas—Messieurs Abbott, Allison, Angers, Arkell, Baby, Bannerman, Barnard, Beauchesne, Benoit, Bergeron, Bergin, Bill, Bolduc, Bourbeau, Bowell, Brecken, Bunster, Bunting, Cameron (Victoria), Carling, Cimon, Colby, Connell, Coughlin, Coursol, Cuthbert, Daly, Dawson, DeCosmos, Desaulniers, Desjardins, Doull, Drew, Dugas, Fitzsimmons, Fortin, Gault, Gigault, Girouard (Jacques Cartier), Girouard (Kent), Grandbois, Hackett, Haddow, Hay, Hesson, Hilliard, Hooper, Houde, Hurteau, Ives, Jackson, Jones, Kaulbach, Keeler, Kranz, Landry, Lane, Langevin, Lantier, Little, Longley, Macdonald (King's), McDonald (Cape Breton), McDonald (Pictou), McDonald (Victoria, N.S.), Macmillan, McCallum, McCarthy, McCuaig, McDougall, McGreevy, McInnes, McKay, McLennan, McLeod, McQuade, McRory, Massue, Merner, Montplaisir, Muttart, O'Connor, Ogden, Orton, Patterson (Essex), Perreault, Pinsonneault, Pope (Compton), Richey, Robertson (Hamilton), Rochester, Ross (Dundas), Rouleau, Royal, Ryan (Marquette), Rykert, Shaw, Sproule, Strange, Tassé, Tellier,

Thompson (Cariboo), Tilley, Tupper, Vanasse, Wade, Wallace (Norfolk), Wallace (York), White (Cardwell), White (Hastings) and Wright.—111.

Nays—Messieurs Anglin, Bain, Béchard, Blake, Bourassa, Brown, Burpee (Sunbury), Cameron (Huron), Cartwright, Casey, Casgrain, Chandler, Charlton, Cockburn (Muskoka), Coupal, Dumont, Fiset, Fleming, Flynn, Geoffrion, Gillmor, Gunn, Guthrie, Killam, LaRue, Laurier, Macdonell (Lanark), MacDonnell (Inverness), Mackenzie, McIsaac, Malouin, Mills, Oliver, Olivier, Paterson (Brant), Pickard, Rinfret, Robertson (Shelburne), Rogers, Ross (Middlesex), Rymal, Scriver, Skinner, Smith (Westmoreland), Snowball, Thompson (Haldimand), Trow and Yeo—48.

On motion of Mr. Landry, the House went into Committee of the Whole to consider a certain proposed resolution to prevent fraud in the manufacture and sale of agricultural fertilizers.

WEDNESDAY, 24th March, 1880.

On motion of Sir John A. Macdonald, it was Ordered, that the Order of this Day for resuming the adjourned debate on the motion of Mr. MacDonnell (Inverness)—“that the House do now go into Committee of the Whole to consider certain proposed resolutions declaring the Province of Quebec, Nova Scotia, New Brunswick and Prince Edward Island to have each claims and rights to distributive shares of the amount of the fishery award, &c.”—be the first Order of the Day on Wednesday next.

7th April, 1880.

The House resumed the adjourned debate on Mr. MacDonnell's (Inverness) proposed motion, that it be:—

1. Resolved, That the sum of \$5,500,000, paid by the Government of the United States to the Government of the United Kingdom under the fishery award, was the ascertained amount of the excess in value of the privileges accorded under articles eighteen and thirty-two of the Washington Treaty to the citizens of the United States, over and above the privileges accorded by articles nineteen and twenty-one of said treaty to the subjects of Her Britannic Majesty.

2. Resolved, That the privileges so accorded to the citizens of the United States consist in the “liberty to them, in common with the subjects of Her Britannic Majesty, to take fish of every kind, except shell fish, on the sea coast and shores and in the bays, harbors and creeks of the Provinces of Quebec, Nova Scotia, New Brunswick, Newfoundland and Prince Edward Island, and of the several islands thereunto adjacent, without being restricted to any distance from the shore, with permission to land upon the said coasts and shores and islands, and also upon the Magdalen Islands, for the purpose of drying their nets and curing their fish, provided that in so doing they do not interfere with the rights of private property or with British fishermen in the peaceable enjoyment of any part of the sea coast, in their occupancy for the same purpose.” It being understood by the high contracting parties that the said liberty applies solely to the sea fishery.

3. Resolved, That the said privileges accorded to the citizens of the United States were territorial rights belonging to the different Provinces to which the fisheries in which they were granted are adjacent, respectively.

4. Resolved, That the disadvantages and injury suffered by reason of the granting of said privileges to the citizens of the United States are of a local nature, and are suffered by the inhabitants of the several Provinces upon whose coasts the said privileges are enjoyed.

5. Resolved, That the Government of the United Kingdom have apportioned and paid to the said Province of Newfoundland the sum of \$1,000,000 as the estimated portion of the amount of said award to which the said Province was entitled for such of the said privileges granted to the inhabitants of the United States as are enjoyed by them on the coasts and sea shores of Newfoundland.

6. Resolved, That the balance of the amount of the said award, viz., \$4,490,882.94, has been handed over by the Government of the United Kingdom to the Government of Canada.



7. Resolved, That it is the opinion of this House that the said other Provinces of Quebec, Nova Scotia, New Brunswick and Prince Edward Island, notwithstanding that they form a part of the Confederation of Canada, have each claims and rights to distributive shares of the said amount of said award, according to the extent to which the said privileges were enjoyed on their respective sea coasts and shores, on the same principles on which the claims and rights of Newfoundland were recognized; and that the said claims and rights of the said other Provinces have not been impaired by the fact that they form a portion of such Confederation.

Mr. Richey moved in amendment thereto, that the resolutions be amended as follows:—

In the third resolution all the words after “that” be expunged, and the following inserted instead thereof:—“the privileges so accorded to the citizens of the United States are in derogation of the rights of British subjects, which enured to the benefit of the people of the different Provinces to which the fisheries in which they were granted are adjacent, respectively.”

In the seventh resolution, all after the word “that” be expunged, and the following inserted instead thereof:—“in the opinion of this House the Provinces of Quebec, Nova Scotia, New Brunswick and Prince Edward Island are entitled to an appropriation of the award, in such a manner as to afford to the inhabitants of the said several Provinces the full benefit of the same, in proportion to the value of the privileges conceded upon the coasts and in the waters of those Provinces, respectively.”

Sir John A. Macdonald moved in amendment to the main motion, that all the words after “that” be expunged, as also the proposed amendment thereto, and the following inserted instead thereof:—“by the British North America Act, 1867, the sea coast and inland fisheries in the Dominion, and the control, regulation and protection thereof, were vested in the Government and Parliament of Canada.

“That the responsibility and duty of regulating and protecting such fisheries were, from 1st July, 1867, undertaken by the Federal Government and Legislature.

“That great expense was thereby cast upon and defrayed from the Dominion treasury.

“That such responsibility cannot constitutionally be surrendered or transferred to any of the Provinces, and if it were possible to do so the transfer would be injurious to the best interests of the Provinces more immediately concerned in the development of the fisheries, as they would be alike legally and pecuniarily unable to bear the burthen and afford the necessary protection.

“That the duty of fostering and protecting the fisheries is certain to entail great expense on the Dominion in the future.

“That such expenditure and the public advantage to be derived therefrom are correlative, and that the portion of the fishery award paid over to Canada constitutionally and of right belongs to the Dominion of Canada.”

And a debate arising thereupon;

And the House having continued to sit until 12 of the clock, midnight;

THURSDAY, 8th April, 1880.

And the debate continuing;—Mr. Weldon moved, that the debate be adjourned;—which was negatived.

And the question being put on the said proposed amendment; it was agreed to on the following division:—

Yeas—Messieurs Angers, Arkell, Baby, Baker, Bannerman, Barnard, Beauchesne, Benoit, Bergeron, Bolduc, Boulton, Bourbeau, Bowell, Brooks, Brown, Bunster, Burnham, Cameron (Victoria), Carling, Caron, Casey, Casgrain, Cimon, Colby, Connell, Costigan, Coughlin, Coupal, Coursol, Currier, Cuthbert, Daoust, Dawson, Desaulniers, Desjardins, Domville, Drew, Dugas, Elliott, Ferguson, Fitzsimmons, Fleming, Fortin, Fulton, Gault, Gigault, Gillies, Girouard (Jacques Cartier), Girouard (Kent), Grandbois, Gunn, Haggart, Hay, Hesson, Hilliard, Hooper, Houde, Hurteau, Ives, Jones, Keeler, Kilvert, Kranz, Landry, Lane, Langevin, LaRue, Little, Macdonald

(Victoria, B. C.), McDonald (Pictou), Macdonell (Lanark), Mackenzie, Macmillan, McCallum, McCuaig, McDougall, McGreevy, McInnes, McLennan, McQuade, McRory, Malouin, Massue, Merner, Méthot, Montplaisir, Mousseau, O'Connor, Oliver, Oliver, Orton, Ouimet, Paterson (Brant), Patterson (Essex), Perrault, Pinsonneault, Platt, Plumb, Pope (Compton), Poupore, Rinfret, Ross (Middlesex), Rouleau, Routhier, Royal, Ryan (Marquette), Ryan (Montreal), Rykert, Skinner, Sproule, Strange, Tassé, Toller, Thompson (Cariboo), Tilley, Tupper, Vallée, Vanasse, Wade, Wallace (Norfolk), Wallace (York), White (Cardwell), White (Renfrew), Williams, Wiser and Wright.—126.

Nays—Messieurs Allison, Anglin, Bill, Bourassa, Brecken, Burpee (Sunbury), Daly, Doull, Dumont, Fiset, Flynn, Geoffrion, Gillmor, Hackett, Haddow, Kaulbach, Killam, King, Longley, Macdonald (Kings), McDonald (Victoria, N.S.), McIsaac, McLeod, Muttart, Ogden, Pickard, Richey, Robertson (Shelburne), Rogers and Weldon.—30.

The main motion, as amended, was then agreed to.

The House then adjourned at 25 minutes past 4 o'clock, A. M.

JOSEPH GODÉRICH BLANCHET, *Speaker*.

## PROVINCE OF MANITOBA—INCREASE OF SUBSIDY.

LEGISLATIVE COUNCIL, 26th January, 1876.

Resolved, That a committee be appointed to unite with the members of the Legislative Assembly in the formation of a joint committee of both Houses on the subject of a resolution communicated to this House by the Legislative Assembly, regarding the advisability of soliciting the Dominion Government for a further sum of \$20,000 for the purchase of grain and supplies to aid the destitute people in the Province, and to draft an Address to His Excellency the Governor General on the above subject; and that the said committee be composed of the Hon. Messieurs Gunn, McKay, Hamelin and O'Donnell.

Ordered, That the foregoing resolution be communicated to the Legislative Assembly by the Clerk.

Attest.

THOMAS SPENCE, *Clerk Legislative Council*.

27th January, 1876.

Mr. McKenzie, from the special committee to draft an Address to His Excellency the Governor General in Council, relative to a further appropriation for relief, reported that the committee had met the committee appointed by the Legislative Council to consider an Address, as follows:

To His Excellency the Right Honorable Sir Frederick Temple, Earl of Dufferin, Viscount and Baron Clandeboye, of Clandeboye, in the County of Down, in the Peerage of the United Kingdom; Baron Dufferin and Clandeboye, of Ballyleidy and Killeleagh, in the County Down, in the Peerage of Ireland; and a Baronet, Knight of Our Most Illustrious Order of St. Patrick, and Knight Commander of Our Most Honorable Order of the Bath, Governor General of Canada, and Vice-Admiral of the same.

MAY IT PLEASE YOUR EXCELLENCY:

We, Her Majesty's most dutiful and loyal subjects the Legislative Council and Legislative Assembly of Manitoba, in Parliament assembled, humbly represent—

1. That it is the opinion of this House that an additional sum of \$20,000 should be granted by the Dominion Government to aid the destitute people in the Province for the purchase of seed grain and supplies.

2. That said amount should be placed to the credit of the central committee in Winnipeg.



We therefore humbly pray that Your Excellency will be pleased to take such steps as may be necessary to carry out the views of the Legislature.

Hon. Mr. Royal, from the Committee on Private Bills, presented the first report.

COMMITTEE ON PRIVATE BILLS, 27th January, 1876.

On motion of Mr. Murray,

Resolved, That an humble Address be presented to His Honor the Lieutenant-Governor praying His Honor to cause to be laid before this House copies of all correspondence between this Government and that of the Privy Council of Canada, that may have arisen from the Address agreed to by this House last Session, and presented to His Excellency the Governor General, asking the Dominion Government to make over unto this Government the school lands of the Province, for the purpose of creating an educational endowment fund.

*REPORT of the Delegates of the Executive Council to Ottawa, with regard to the Claims of Manitoba upon the Dominion.*

*To His Honor the Hon. Alexander Morris, Lieutenant-Governor.*

MAY IT PLEASE YOUR HONOR:

The undersigned beg to submit the following as their report:—

In pursuance of a Minute in Council (Annex A) passed 1st October, 1875, the undersigned proceeded to Ottawa on behalf of the Executive Council of the Province of Manitoba, with the mission of laying before the Dominion Cabinet the exact condition of affairs, and urging the claims of the Province to a readjustment of the financial terms of its entry into the Confederation of the British North American Provinces, as well as pressing the settlement of some other questions affecting, in a great measure, the welfare of the Province. The instructions to the delegates were contained in a report of a committee of the Executive Council, approved by His Honor the Lieutenant-Governor, dated        October, 1875. (Annex B.)

The delegates had several lengthy interviews with the members of the committee of the Privy Council appointed to meet them; and on the        October they had the satisfaction to know that their representations had been successfully listened to, and that temporary terms had been conceded, which would materially improve the administration of provincial affairs (Annex C).

The claims of the Province were urged solely on the grounds of justice and equity, and by the comparison of the terms upon which Manitoba entered Confederation and the terms that were granted before and after to some of the sister Provinces. Owing to the western boundary of Ontario not being, as yet, settled, the question of an extension of the limits of Manitoba was not taken up.

A settlement of accounts between the Dominion and the Province was effected, the importance of which cannot be too much appreciated.

On the question of the public roads in the Province, the delegates, after repeated interviews with the Surveyor General and the Deputy Minister of Justice, and later with the Hon. Minister of the Interior, embodied their views in a memorandum addressed to the Hon. Mr. Laird, a copy of which will be found annexed to this report (Annex D).

The Hon. Minister of the Interior fully agreed with the delegates as to the vital importance of preserving the old trails in the Province, and distinctly promised that the matter would be brought under the consideration of the Dominion Cabinet, and the necessary legislation to that effect prepared for the next meeting of the Parliament of Canada. As to the second part of their memorandum, respecting the opening of roads between the townships, settlements and the old parishes, the delegates regret to say that their views did not coincide with those of the Hon. Minister of the Interior.

The delegates, on more than one occasion, expressed their convictions as to the necessity of maintaining and even increasing the military force in the Province (Annex E).

The question of public buildings (Annex F) so imperiously needed, the want of proper accommodations for the relief of the sick and of the lunatics in the Province, and several other equally important subjects concerning the welfare and the prosperity of the people (Annex G H), occupied the attention of the delegates, and were brought under the notice of the Executive Council at Ottawa.

It is gratifying to state here that on every occasion the Hon. Mr. Mackenzie, Premier, and the members of the Dominion Cabinet, evinced an earnest desire to be better informed as to the wants of the Province at large, and the means of developing its vast resources and contributing to the welfare of its people. It remains to be seen how far and how much those good sentiments will go to promote and advance the settlement of all the just claims of Manitoba.

During their interviews with the hon. members of the Dominion Government, the delegates were able to show the spirit of strict economy with which the affairs of the Province had been administered by the present members of the Executive Council of Manitoba, and the great difficulty of effecting more retrenchment, except by a simplification of the political machinery provided by the constitution of the Province. It is to be hoped that patriotism will render easy such a simplification, and will insure to the Province that increase of subsidy negotiated for by the delegates, without which it might be found necessary, at no distant period, to have recourse to direct taxation.

In connection with this matter, the delegates beg to call Your Honor's attention to the last part of the Minute of the Executive Council of the Dominion, relating to the increase of subsidy.

The whole, nevertheless, respectfully submitted.

R. A. DAVIS, *Provincial Treasurer, Manitoba.*

JOSEPH ROYAL, *Minister of Public Works, Manitoba.*

WINNIPEG, 20th December, 1875.

#### ANNEX A.

EXTRACT from the Minutes of a Council held at Government House, Fort Garry, on 1st October, 1875.

Council advise that Messrs. Davis and Royal be appointed a deputation from the Government of Manitoba to proceed to Ottawa, and urge upon the Government of the Dominion of Canada the consideration of matters affecting the welfare of the Province, and that Messrs. Davis, Royal and Norquay be appointed a committee to prepare a memorandum of the various questions to be discussed with the Privy Council.

A true extract.

SEDLEY BLANCHARD, *Clerk of the Executive Council.*

#### ANNEX B.

COPY of a Report of a Committee of the Executive Council, to whom was referred the preparation of a Memorandum of the questions to be urged on the Government of the Dominion by the deputation of members of Council appointed to that effect, approved by the Lieutenant-Governor in Council, on the 10th October, 1875.

Certified.

SEDLEY BLANCHARD, *Clerk of Executive Council.*

#### 1.—INCREASE OF SUBSIDY.

This subject has been repeatedly brought before the notice of the Ottawa Government, based on arguments either intrinsic or in connection with a contemplated extension of the limits of the Province of Manitoba. The entire inadequacy of the revenue of the Province with its wants was acknowledged by the Government of the Dominion, both in 1873 and by a formal despatch of the 4th March, 1875.



The present Government of the Province have, since their formation, carried out the policy of the strictest economy, and of retrenchment compatible with the increasing demands upon the revenue which they then inaugurated.

These demands originate chiefly from the fact that the population is rapidly growing in every district of the Province, and add every year materially to the expenditure connected with the education, road and bridges, agriculture and administration of justice services. The Government have no Parliament House, no residence for the Lieutenant-Governor and no county court houses and gaols, and expenses in the way of rentals, repairs and fitting up form no inconsiderable part of the increasing expenditure.

They have no source of revenue other than the subsidy granted to the Province under the terms of the Manitoba Act, and while your committee feel that it is the bounden duty of the Government to maintain at any cost peace and order in the Province and minister to the most pressing wants of the population, yet they have to record their sad experience that those primary obligations cannot be discharged, without the public revenue being largely exceeded, and the actual and only source of income of the Province lessened accordingly.

The population of Manitoba is estimated at the present day at 36,000 souls, or nearly three times what it was when this country was annexed to Canada. And it is no exaggeration to say that it will reach 60,000 before 1881.

Your committee beg leave to report here in support of a re-adjustment of the financial arrangement between the Province of Manitoba and the Dominion of Canada, the reasons that were urged in a former report made to the Executive Council on the same subject, dated 12th day of January, 1875, and transmitted to the Government of Canada.

1. That on account of the rapidly increasing population of the Province, which the Government of the Dominion have done all in their power to increase by the immigration of the Mennonites and of the Icelanders, the expenses attending the Government have increased to such a degree that the present income of the Province is found to be altogether inadequate to its wants.

The spreading out of new settlements necessitates the construction of new roads and bridges, the aiding of the support of schools, and the incurring of other expenses, and unless some means can be found to supply the same, the outlaying settlements will not get that justice that they have a right to expect.

2. It is a well known fact that many intending settlers, on finding the imperfect state of the means of communication throughout the country, and the poor prospect of enjoying the advantages such as they expected to meet here, left the country and settled in the United States, where they could enjoy conveniences which we could not offer them.

3. That inasmuch as under the existing tariff of customs the Dominion of Canada received last year the sum of \$104,611.85, which would have been nearly tripled had not the merchants taken advantage of the opportunity and brought their goods in before the present tariff came into operation, there is every reason to expect that during the coming season the Dominion Government will receive from the port of Winnipeg over \$300,000, which sum will be increased each succeeding year, as the Province fills up with population.

4. That the requirements of the Province demand that it should have a Parliament House and a Government House, with regard to which they have in another Minute in Council made a proposal to the Privy Council, but the outlay for which they would be willing to have included in the debt of the Province, in the event of the enlargement of the boundaries of the Province.

5. That after mature and careful consideration on the part of your committee they have come to the unanimous conclusion that unless the Dominion Government accedes to our demands for a largely increased outlay, we will have to resort to direct taxation, in order to pay off the outstanding debts contracted by the first Government of Manitoba, and to meet the other demands upon the revenues of the Province.

6. There are no means of revenue open to the Government, except that received from the Dominion, or direct taxation, and your committee fear that the people—unused, as the older inhabitants have been in the past, to any system of taxation, and unaccustomed, as the recent settlers have been, in their own Province, to direct taxation for the support of the Government—will regard the introduction of the latter mode of raising revenues as a grievous wrong, knowing, as they do, the injustice of the present financial arrangement, compared with that of other Provinces, especially Prince Edward Island and British Columbia—both small Provinces, and isolated, like Manitoba, from the rest of the Dominion.

If the Government of Manitoba are compelled to resort to direct taxation it is impossible to foresee the result such a course would have, as the public mind is at the present very much dissatisfied with the existing state of affairs.

Your committee can only add that in the present condition of affairs it is impossible for the Government of the Province to assist any enterprise for the development of the resources of the country and attract the capital necessary to promote public prosperity and improve the condition of the emigrant.

Your committee beg to point out that in dealing with New Brunswick an additional allowance was made by the B. N. A. Act, 1867, of \$63,000 a year, for ten years from the date of Union; that in dealing with Nova Scotia an additional allowance of \$32,698 a year for ten years was made to that Province, based upon the fact of the allowance to New Brunswick; that in dealing with British Columbia her allowance in respect of debt as well as in respect of population, was calculated upon an assumed population of 60,000, while the actual population was not 11,000; that in dealing with Prince Edward Island her allowance for debt was calculated at the rate of \$50 per head on the population, instead of \$27.77—the rate assigned to the other provinces—and a special allowance of \$45,000 a year was made to her in consideration of her not having any Crown lands; while in dealing with Manitoba, which has no Crown lands at her disposal, her allowance in respect of debt was calculated on a population of 17,000 only, at the rate of \$27.77 per head, and her allowance in respect of population was calculated on the same estimate of 17,000.

Your committee beg to point out that the total resources of the Province derivable from the Dominion are as follows:—

Specific grant.....	\$ 30,000 00
80c. per head on 17,000.....	13,600 00
5 per cent. interest on \$472,090 debt, at \$27.77 per head	23,604 50
5 per cent. interest on \$79,357 additional debt, as adjusted in 1873.....	3,967 85
Total.....	<u>\$71,172 35</u>

The additional revenue of the Province has been insignificant, the only important item having been that of licenses for the sale of liquor, which at one time realized about \$10,000, but which, by the combined operation of a stringent license law and of the transfer to the city of Winnipeg of the fund derivable from licenses within that corporation, has been reduced to a trifling sum.

The only other sources of public revenue, the Province having no Crown lands, are marriage licenses and law fees, from neither of which can any considerable sum be expected.

Looking to the fact that the bulk of the population is composed of new settlers, cannot be expected to realize forthwith from local taxation any considerable sum, and the attempt at this time so to raise a substantial revenue would seriously impair the well-being of the Province.

The fact must be borne in mind that in the short time which has elapsed since the formation of the Province the population has increased from about 12,000 to about 36,000, thus very materially increasing the expenses of the Government, and it is the opinion of your committee that this increase of population will be continu-



ous for some years. In carrying on the Government of the Province up to this time the sum of one hundred and fifty-eight thousand three hundred and eighty-six dollars and eleven cents (\$158,386.11), as charged in the books of the Dominion on the settlement of accounts, up to 30th June, 1875, between the Province and the Dominion, has been advanced to supplement the deficiency in the revenue; and such sum being capitalized, the interest at 5 per cent. will amount to seven thousand nine hundred and nineteen dollars and thirty cents (\$7,919.30), thus reducing the revenue of the Province from the Dominion to sixty-three thousand two hundred and fifty-three dollars and four cents (\$63,253.04).

Such is the situation, both in regard to the disproportionate treatment of the Province by the Dominion of Canada and to the real condition of affairs in Manitoba.

## 2.—EXTENSION OF THE LIMITS OF THE PROVINCE.

Your committee respectfully repeat the suggestion contained in the minute already referred to, and that the Province of Manitoba be extended as follows:—

“Commencing at a point on the 49th parallel of north latitude where it would be intersected by the line between ranges 26 and 27 west of Principal Meridian; thence north along the lines between said ranges 26 and 27 west of Principal Meridian to the centre of the waters of the river Assiniboine; thence northerly and westerly along the centre of the said river to a point opposite to Fort Pelly; thence by the most direct and shortest line to the centre of the waters of Swan River; thence northerly and easterly and along the centre of the waters at the said Swan River to Swan Lake; thence in a northerly direction across the centre of said lake to the outlet known as Shoal River; thence northerly along the centre of the waters of Shoal River to Lake Winnipegosis; thence along the westerly and northerly shore of said lake to Mossy Portage; thence northerly and across said Mossy Portage to Cedar Lake; thence following the westerly and northerly shore of said lake to its outlet, known as the Saskatchewan River; thence along the north bank of said river to Lake Winnipeg; thence following the northerly and easterly shore of Lake Winnipeg to the mouth of Berens River; thence easterly and along the centre of said Berens River to Family Lake; thence in an easterly direction across the waters of said Family Lake; and thence in an easterly direction across the waters of said Family Lake to its most eastern point; thence due east to the heights of land separating the waters flowing into the Hudson Bay from those flowing into Lake Winnipeg; thence southerly and easterly along said heights of land to the western boundary of the Province of Ontario, as the same may hereafter be defined; thence along said westerly boundary of the Province of Ontario to the international boundary between the United States and the Dominion of Canada; thence westerly along said international boundary to the place of beginning.”

And your committee respectfully reiterates the suggestion that the Province of Manitoba so extended is entitled to a re-adjustment of its financial condition upon something like the following basis:—

“2. That the population of the Province of Manitoba under this arrangement shall be estimated at 100,000 souls; and inasmuch as it entered Confederation without debt, it should be entitled to incur a debt of fifty dollars per head—that is to say five millions of dollars—this being the same ratio per head which was allowed Prince Edward Island when she entered the Union.

“3. That the Province of Manitoba, not having incurred debts equal to the sum mentioned in the next preceding clause, shall be entitled to receive, by half-yearly payments in advance from the General Government, interest at the rate of five per cent. per annum on the difference from time to time between the actual amount of its indebtedness and the amount of the indebtedness authorized as aforesaid, viz. five million dollars.

“4. That as the Government of Manitoba will hold no lands, and consequently will enjoy no revenue from this source for the maintenance of roads and bridges and other works absolutely needed in a new and isolated Province like this, that the Dominion Government shall pay, by half-yearly payments, to the Province of Mani-

oba, forty-five thousand dollars per annum, this being the amount paid to Prince Edward Island in lieu of not receiving any revenue from the sale of lands.

"5. That the following sum be paid to Manitoba by the Dominion Government for the support of the Government and Legislature, viz.: an annual sum of forty thousand dollars, and an annual grant equal to eighty cents per head on the said population of 100,000, both half-yearly in advance; such grant of eighty cents per head to be augmented in proportion to the population, as may be shown by each subsequent decennial census, until the population amounts to 400,000, at which rate hereafter such grant shall remain—it being understood that the first census shall be taken in the year 1881."

### 3.—THE BRIDGE BETWEEN ST. BONIFACE AND WINNIPEG.

Your committee suggest that the deputation urge the question of the crossing of the Pembina branch at Winnipeg, and the construction of the bridge by the Dominion of Canada, and that in the event of failing in this that they obtain the same grant of money for the erection of a traffic bridge that was voted by the Parliament of Canada in \_\_\_\_\_ and in \_\_\_\_\_, and promised by despatch to the Executive Council, in continuation of the Dawson road, namely, \$50,000.

### 4.—THE ROAD QUESTION.

The want of access to the great highways of the Province through the old settlement belt from the surveyed townships is severely felt by the settlers in the Dominion lands. It is a question involving an expenditure of money to compensate the owners of the lands over which these outlets will have to be established. As the Dominion lands only will be benefitted by this measure, it is felt that the expenses should be defrayed by the Government of the Dominion.

### 5.—THE NAVIGATION OF THE RED RIVER.

Your committee, having in view the settlement of the west shore of Lake Winnipeg by a large colony of Icelanders, as well as the fact of the considerable trade that is being established by the navigation of the Saskatchewan in connection with the Red River, deem it very important that the navigation of this latter stream should be improved, and the bar at the mouth of Lake Winnipeg be dredged.

### 6.—THE MAINTENANCE OF A MILITARY FORCE.

The maintenance of a military force at the seat of the Government, Manitoba, is a matter of public necessity, owing to the isolated condition of the Province, the extreme difficulty of the communications during some portions of the year, and the dangerous vicinity of unorganized portions of the American Union. Your committee beg to refer to the various despatches on the same subject that were forwarded, from time to time, to the Dominion Government.

As to the establishment of a military outpost in the western portion of the Province, your committee cannot but feel that the question is a grave one, from the fact that a band of Sioux Indians are daily prowling about the farms of isolated settlers, and have lately become more pressing than usual in their demands. It is thought that the establishment of a permanent military outpost in the most distant locality would tend greatly to give that confidence and security so essential in the settlement of a new country. It is the opinion of your committee that such a measure should be attended with but very small additional cost to the Dominion Government.

### 7.—SETTLEMENT OF ACCOUNTS.

Your committee recommend that the deputation do adjust in Ottawa all matters of account between the Dominion and the Local Government, inclusive of the payment of all expenses connected with the Gordon and Lepine and Nault trials.



## ANNEX C.

OTTAWA, 26th October, 1875.

SIR,—I am directed to transmit to you herewith, for the information of the Government of the Province of Manitoba, a copy of an Order of His Excellency the Governor General in Council, on the subject of the representations made by yourself and the Hon. Mr. Royal, on behalf of that Government, in reference to the financial position of the Province.

I have the honor to be, Sir, your obedient servant,

EDOUARD J. LANGEVIN, *Under Secretary of State.*

Hon. R. A. DAVIS, Provincial Treasurer of Manitoba,  
Russell House, Ottawa.

## ANNEX D.

*Copy of a Report of a Committee of the Honorable the Privy Council, approved by His Excellency the Governor General in Council on the 26th October, 1875.*

The Committee of the Privy Council have had under consideration the memorandum hereunto annexed, prepared by the Hon. the Minister of Justice, on behalf of the sub-committee of Council appointed to confer with the Hon. Mr. Davis, the First Minister and Treasurer, and the Hon. Mr. Royal, Minister of Public Works of the Province of Manitoba, on the subject of the financial position of that Province, and they respectfully report their concurrence in the views expressed by the sub-committee in the said memorandum, and advise that the same be approved, and that a copy thereof, and of the present Minute, be transmitted for the consideration of the Government of Manitoba.

Certified.

W. A. HIMSWORTH, *Clerk Privy Council, Canada.*

25th October, 1875.

The undersigned, who has been requested to prepare a memorandum on the recent discussions as to the finances of Manitoba, begs leave to report as follows:—

That Mr. Davis, First Minister and Treasurer, and Mr. Royal, Minister of Public Works of the Province, have been in communication with the sub-committee of Council on the subject.

Your committee beg to point out that with New Brunswick an additional allowance was made by the B. N. A. Act, 1867, of \$63,000 a year for ten years from the date of Union; that in dealing with Nova Scotia an additional allowance of \$82,698 a year for ten years to that Province, based upon the fact of the allowance to New Brunswick; that in dealing with British Columbia her allowance in respect of debt as well as in respect of population was calculated upon an assumed population of 60,000, while the actual population was not 11,000; that in dealing with Prince Edward Island her allowance for debt was calculated at the rate of \$50 per head on the population, instead of \$27.77—the rate assigned to the other Provinces—and a special allowance of \$45,000 a year was made to her in consideration of her not having any Crown lands; while in dealing with Manitoba, which has no Crown lands at her disposal, her allowance in respect of debt was calculated on a population of 17,000 only, at the rate of \$27.77 per head, and her allowance in respect of population was calculated on the same estimate of 17,000.

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Total..... \$71,172 35

The additional revenue of the Province has been insignificant, the only important item having been that of licenses for the sale of liquor, which at one time realized about \$10,000, but which, by the combined operation of a stringent license law, and of the transfer to the city of Winnipeg of the fund derivable from licenses within that corporation, has been reduced to a trifling sum.

The only other sources of public revenue, the Province having no Crown lands, are marriage licenses and law fees, from neither of which can any considerable sum be expected.

Looking to the fact that the bulk of the population is composed of new settlers, it cannot be expected to realize forthwith from local taxation any considerable sum, and the attempt at this time so to raise a substantial revenue would seriously impair the well-being of the Province.

The fact must be borne in mind that in the short time which has elapsed since the formation of the Province the population has increased from about 12,000 to 6,000, thus very materially increasing the expenses of the Government, and it is the opinion of your committee that this increase of population will be continuous for some years. In carrying on the Government of the Province up to this time the sum of one hundred and fifty-eight thousand three hundred and eighty-six dollars and eleven cents (\$158,386.11) as charged in the books of the Dominion on the settlement of accounts up to 30th June, 1875, between the Province and the Dominion, has been advanced to supplement the deficiency in the revenue; and if such sum be capitalized, the interest at 5 per cent. will amount to seven thousand nine hundred and nineteen dollars and thirty cents (\$7,919.30), thus reducing the revenue of the Province from the Dominion to sixty-three thousand two hundred and fifty-three dollars and four cents (\$63,253.04).

Such is the situation, both in regard to the disproportionate treatment of the Province by the Dominion of Canada, and to the real condition of affairs in Manitoba.

They were asked to furnish an estimate of the annual expenditure for the future on the most economical scale.

From this estimate, which is annexed, it appears that their calculation of expenditure amounts to \$106,765 per annum, which would result in a deficiency of over \$43,000 annually.

The sub-committee of Council, on examination of this estimate, observe that it involves an expenditure in carrying on the machinery of Government of between \$50,000 and \$60,000, very nearly the whole of the actual revenue, while only between \$40,000 and \$50,000 is proposed to be expended in the services of the administration of justice, education, agriculture, public works and charity. It is the opinion of the sub-committee that the expenses of carrying on the machinery of Government, as proposed in the Estimates, are disproportionately large, and that no satisfactory results can be anticipated unless a simpler and less expensive system be adopted and greater economy be exhibited. There may perhaps be difficulties in the adoption at present of the simpler and more rudimentary form of self-government, which, in the opinion of the sub-committee, would have been most suitable for a country like Manitoba during its early settlement, but the sub-committee feel that the people of that Province should be called on carefully to consider the propriety of making such changes as may prevent the absorption of the great bulk of their available income in the payment of the expenses of the machinery of government and as may leave a substantial part, at any rate, free to be devoted to the maintenance and advancement of the material interests of the Province. Even if no more radical change be made, it appears to the sub-committee that the present form of government should be simplified and cheapened by the abolition of the second Chamber and the material reduction of the other expenses of government and legislation, and that (in case it is proposed to expend a sum larger than that which may be available from the Dominion) provision should be made for supplementing the revenue from local resources to the necessary extent, so as to avoid future deficits.

The sub-committee are of opinion that having regard to the whole circumstance of the case it would be proper, provided the Local Government and the Legislature



should make such changes in their system as would (without diminishing the total aggregate amount to be devoted to the great objects of education, agriculture, public works, charity and administration of justice) bring down the total expenditure to a sum not exceeding (independent of the amount of local revenues) \$90,000, it would be proper to charge as an advance on the debt account the balance due to the Dominion, and to invite Parliament to make an additional annual grant to the Province of \$26,746.96, being the amount necessary in order to raise its revenue derivable from the Dominion to \$90,000, such grant to commence from the 1st day of July, 1875, and to continue until 1881, when the Province will become entitled to the increased population allowance based upon the census to be taken in that year.

The sub-committee observe that the Government of Canada has leased for a term of years, extending to 1880, at a rental of \$2,000 a year, the Hudson Bay Company premises at Winnipeg, used as a Government House, and that as well this rental as the expense of repairs has been hitherto borne by Canada, the sub-committee are unable to suggest that during the term of this lease the present arrangement as to the rent should be altered; but they advise that in view of the increased grant proposed the repairs from the 1st July, 1875, be paid by the Province.

EDWARD BLAKE.

#### ANNEX E.

RUSSELL HOUSE, OTTAWA, 27th October, 1875.

SIR,—We beg to acknowledge the receipt of your letter of to-day, covering a copy of an Order in Council in reference to the financial position of the Province of Manitoba.

The abolition of the Legislative Council, in order to simplify our political machinery and bring down the expenses of legislation has always been the policy of the present Administration, and it is expected that no serious difficulties will be met in finally carrying it through at the next sitting of the Provincial Legislature.

The settlement of accounts between the Dominion Government and the Province of Manitoba we take it to be final, and the debt of the Province will stand at the figure indicated in the said Order in Council.

We have no doubt that the decision arrived at by the Dominion Government, with respect to the financial affairs of our Province, will be gladly received by the whole population of Manitoba, exhibiting, as it does, the interest which is manifested respecting its progress and prosperity.

We have the honor to be, Sir, your very obedient servants,

R. A. DAVIS, *Provincial Treasurer, Manitoba.*

JOSEPH ROYAL, *Minister of Public Works, Manitoba.*

Hon. R. W. SCOTT, Secretary of State, Ottawa.

#### ANNEX F.

RUSSELL HOUSE, OTTAWA, 2nd November, 1875.

SIR,—With reference to our interview, held on the 26th ultimo, with Lieutenant-Colonel Dennis, Surveyor-General, at which Colonel Barnard, Deputy Minister of Justice, was present, on the subject of public roads in the Province of Manitoba, I beg to transmit herewith a brief memorandum, the subject matter of which is of very great importance to the people of the Province, and, it is earnestly believed, require your most favorable consideration.

I have the honor to be, Sir, your very obedient servant,

JOSEPH ROYAL, *Minister of Public Works, Manitoba.*

Hon. Mr. LAIRD, Minister of Interior, Ottawa.

#### ANNEX G.

##### THE ROADS IN MANITOBA.

MEMORANDUM.—There existed in the Province at the time of the transfer several main thoroughfares leading from the country to the United States as well as to

various points in the British Territories, and from which sprung branch roads as equally important to the travelling community. These roads had been in use for at least 40 or 50 years before the 15th July, 1870, without any objection or interference on the part of the Assiniboia Government, except to improve some of them and appoint inspectors.

Experience and a thorough and practical knowledge of the country led to the selection and establishment of these old travelled trails. Such was the system of public highways inside as well as outside of the Province of Manitoba, when, by the passing of a Dominion Land and Survey Act, it was partially done away with, and a new, and, what then seemed to be a better plan, substituted.

But as the law applied only to the territory to be surveyed outside of the settlement belt, the Local Legislature saw at once the importance of legislation in the matter, and (34 Vic., chap. XIII) an Act was passed to classify the existing public roads in the settlement belt, and to declare which were to be maintained and repaired by the local authorities, and when and how the other roads in the settlement belt were to be dealt with.

No new road was established, but in every case the new Act recognized the old highways.

An amendment was subsequently made to the above mentioned Act (35 Vic., chap. XII), by which power was given to the Lieutenant-Governor in Council to declare by proclamation great highways such other road or roads leading from the great highways, so classified and designated by the first Act, to any principal place or places of settlement within the Province.

The question here naturally arises, whether the Legislature had power to pass such an amended Act, and thereby clothe the Lieutenant-Governor in Council with the authority to enter upon the Dominion land and declare what was to be the public road, without reference to any system established in that respect by the Dominion Government. The law stands to-day in our Statute Books, and was never reserved or objected to.

The aim of the local authorities in passing such a legislation was to prevent the closing of the old roads, recognized from time immemorial to be the best, the shortest and the safest at all times of the year.

It is well to mention here that the old roads do not coincide in any case with the allowances set apart for the same object in the Dominion surveys, and that the sections and townships are, as a general rule, traversed by them in a diagonal line.

It is also worthy of remark that for the whole Province the number of these routes is very small.

Should the Dominion Government see fit to comply with the earnest request of the settlers in respect of these roads, it is respectfully suggested that no difficulty would be found insuperable in dealing with parties whose lots might be interfered with by such roads, as scrip could be given in compensation of the land taken; and where the lots are not yet disposed of, a clause to that effect might be inserted in the title deeds from the Crown.

There is another difficulty in connection with the public roads in the Province of Manitoba to which the delegates of the Province beg to call the attention of the Hon. Minister of the Interior, and which arises from the fact that no provision is made in the Acts relating to Dominion lands to connect the township roads at convenient points with the great highways of the settlement belt.

It is thought that the opening up of such outlet roads should be made and provided for by the Canadian Government, as the lands to be benefitted by it belong exclusively to the Dominion.

A plan might be devised and concurrent legislation affected both by the Dominion and the Province, by which authority could be obtained to open up such roads at the most convenient places, and at sufficient intervals.

Compensation might be provided also in this case by the issue of scrip for the land taken from the settlers.



The pressing necessity of settling this important question of outlet roads for the settlers on Dominion lands may be inferred from the following extract from a letter just received from W. R. Dick, Esq., M.P.P. for Springfield, and reeve for the municipality of Springfield and Sunnyside, in the electoral district of Lisgar:—

\* \* \* \* \*

"The settlers in Springfield have done a good deal of work on their road this summer, and are very anxious to know just where the roads will be established through the two mile limit, so as to make their roads to meet them.

"As the Dominion Government have the railroad surveyed now from St. Boniface to the lower crossing, it passes through all or nearly all of the settlers' narrow lots, and of course there will not be cattle guards and crossings made on every narrow lot. I think, therefore, that the lines in Springfield township should be continued clear through to the river, just in the same direction as they run between the sections. If done so, the old settlers would have a good way to get to the rear end of their lots.

"Yours sincerely,

"W. R. DICK."

ANNEX H.

OTTAWA, 4th November, 1875.

SIR,—I have the honor to acknowledge the receipt of your letter of the 23rd inst., referring to your interview on the 26th ult. with the Surveyor General and the Deputy Minister of Justice, on the subject of the public roads in the Province of Manitoba, and transmitting, for the consideration of the Minister of the Interior, a memorandum on the subject.

Your letter and memorandum will be submitted for the consideration of the Minister on his return to the seat of Government.

I have the honor to be, Sir, your obedient servant,

E. A. MEREDITH, *Deputy Minister of the Interior.*

HON. JOSEPH ROYAL, Minister of Public Works, Winnipeg, Manitoba.

ANNEX I.

EXTRACT from *Minutes of Council held at Government House, Fort Garry, on the 22nd day of May, 1875.*

Council recommend the adoption of the following Minute, and request the Lieutenant-Governor to forward a copy of the same to the Hon. the Secretary of State, for the consideration of His Excellency the Governor General in Council.

That the construction of Dominion railways through Manitoba will necessarily attract to the Province large numbers of workmen, and that, as it is generally understood that no part of the Mounted Police force is to remain in the Province, Council are of opinion that it is absolutely necessary for the due protection of life and property that the present military force be maintained during the progress of the said works.

Council earnestly request a careful consideration of their views by the Privy Council, as, in the isolated condition of the Province, any inability on the part of the local authorities to suppress acts of lawlessness would be attended with the gravest consequences.

ANNEX J.

RUSSELL HOUSE, OTTAWA, 29th October, 1875.

SIR,—In reference to our interview of the 26th instant, on the subject of the establishment of a military outpost in the district of Portage la Prairie, for the protection of the people and the maintenance of law and order in that distant and isolated locality, we beg to transmit herewith an extract from the Minutes of the Executive Council of the Province of Manitoba, held at Fort Garry on the 16th August last.

It is respectfully suggested that as a detachment of soldiers from Fort Osborne is stationed during the winter months in the locality above mentioned, for the purpose of cutting firewood for the use of the troops at Winnipeg, it would require but a small outlay to make the post a permanent station.

We most earnestly call your attention to the report of G. McMicken, Esq., in connection with this matter, and to the utter impossibility on the part of the Local Government, in the present state of their finances, to equip and maintain a force of police strong enough to attain the object in view.

We have the honor to be, Sir, your obedient servants,

R. A. DAVIS, *Provincial Treasurer, Manitoba.*

JOSEPH ROYAL, *Minister of Public Works, Manitoba.*

Hon. Mr. VAIL, Minister of Militia and Defence, Ottawa.

#### ANNEX K.

EXTRACT from the Minutes of a Council held at Government House, Fort Garry, on 16th August, 1875.

The Provincial Secretary submits the report of Gilbert McMicken, Esq., who was sent to Portage la Prairie as special commissioner to investigate the circumstances connected with the killing of a Sioux Indian by a number of his tribe at that place.

Council advise that the report be forwarded to the Hon. the Secretary of State for Canada, accompanied by a copy of this Minute, strongly endorsing the recommendations of the commissioner, and urging that immediate steps be taken to establish a military post at Portage la Prairie, for the protection of the people and maintenance of law and order.

A true extract.

SEDLEY BLANCHARD, *Clerk of the Executive Council.*

#### ANNEX L.

WINNIPEG, 14th August, 1875.

SIR,—In compliance with your request of the 10th instant, I immediately proceeded to Portage la Prairie, "to inquire into the circumstances of the killing of an Indian there by the Sioux band on Friday, the 6th, and the escape of the parties who had been arrested as the perpetrators of the outrage during the process of the preliminary examination before the magistrates—Messrs. Ogletree, McDonald and Hay—on the 7th instant," with instructions "to take such steps as the nature of the case might require."

On my way up, at Poplar Point and at High Bluff, I acquired such information as I could, regarding the location of the band, the whereabouts of the chief (Young Chief or Little Chief), and the present temper of the band. On arriving at Portage la Prairie, which I did on Wednesday morning, I immediately sent to the several justices of the peace who had taken part in the examination, and requested them to meet me without delay, which they did.

They had nothing to add to the information they had previously communicated to you, but expressed themselves apprehensive of trouble in the settlement unless something was done by the Government for their protection. They were pleased at my appearance on behalf of the Government, and were most ready and willing to do all in their power to aid me in any course I might deem it judicious or expedient to take in the matter.

It was impossible to ascertain whether the accused parties were in the neighborhood or had gone to the United States, and it was equally impossible to learn where Young Chief could be found. However, from certain circumstances, I was impressed with a conviction that he was within reach of the camp at High Bluff, and felt it essential, as a preliminary, that I should have an interview with him and his councillors.



I found Mr. Frank Field, who resides at the Portage, understood the Sioux language sufficiently to communicate with them, and was on very friendly relations with them.

I engaged him, therefore, with his horse and buggy, to endeavor to see the chief and arrange an interview with me as speedily as possible.

At about half-past 6 p.m. he returned, reporting to me that the chief and his council would meet me at his (Field's) house in the morning at 9 o'clock.

On Thursday morning, therefore, at the appointed time, I proceeded to Mr. Field's house, and there met a brother of the chief and six or seven others of the tribe.

Except reading your letter addressed to the chief, which you had given to Mr. Power, the constable, I refused to enter into any conversation on the subject of the interview, and insisted upon seeing the chief without delay. After some explanations the chief's brother agreed to accompany Mr. Field to find the chief and bring him up.

In the evening they returned, having the chief with them, Mary Rose, a Sioux woman, having remained to interpret, she having a tolerable knowledge of English. The substance of what I addressed to the chief was as follows:—

1. That I was an officer of the Queen's Government.
2. The Queen's Government was sorry to have heard that there was trouble among the Sioux.
3. I had come to learn what the trouble was.
4. The Queen has but one law for all her people. The Sioux and the whites are the same to her in her care of them.
5. The Queen's law protects the Sioux just the same as the white people.
6. When anyone is injured or killed, the matter must be inquired into; whether it is Sioux or white, no difference can be made.
7. The Sioux promised obedience to the law and to be good Sioux, and the Queen gave them lands.
8. I am sorry to hear that the Sioux have forgotten their promises and broken the Queen's law.
9. The death of the Sioux who was killed must be inquired into, that all may be known about it.
10. When the law is broken, the guilty must be punished.
11. The guilty must be tried by the Queen's judges, properly and justly.
12. The accused will have full opportunity and every aid to make their defence.
13. If they can show a just cause for the necessity of the deed in self-defence, the judges will consider this.
14. The chief and his councillors must see that the accused are given up to be tried, as I have said.
15. It is for the good of the Sioux that this should be done, that they may know the Queen does not want any Sioux hurt or killed.
16. That good feeling may be restored, and that Sioux and settlers may live peaceably together as before.
17. The chief will now give me his statement of the whole matter and what he will do. I want to hear him.

Young Chief then arose, shook hands, and said:—

"I cannot say much about this. I have listened rightly to all the Queen has told me; but now this day I am sorry for what the Sioux have done my band.

"What I heard about Etajagimauny, I told to John James Setter, and every one of us knows that he was a bad man, and I am sorry it occurred in the settlement.

"If I had known that the Sioux were going to kill him in the settlement, I would not have allowed them to do so. It was the man's own relations who shot him.

"Etajagimauny killed Sonacos and Otinas' father, and the fact of his own relations shooting him, we think little of it. I heard all that Etajagimauny did wrong at the Sioux reserve. The chief out at that reserve is named Obadisca (White Eagle). When the Governor sent provisions to the reserve, there was not any tea for him (Etajagimauny), and that was the cause of his striking George Minnetonka.

"George Minnetonka told him there was no use to get angry about a little tea, because they were not old women, and said: let us take care of the powder. He (Etaojagimauny) then took the flour and powder and spilled them over the prairie, and then took a gun and knocked out George Minnetonka's eye, knocking him senseless for half a day. Obadisca, the chief, was afraid of Etaojagimauny, and had to hide from time to time amongst his men. Etaojagimauny would not allow the oxen to be used by any of the Sioux, or the seeds that the Governor had sent, so that many of the Sioux had to return. George Minnetonka let this attack on him remain in his breast until he saw his relations at the Portage, and then they had a consultation amongst themselves about shooting him, and thus having their revenge. They were much afraid he would kill some one else, and that was the reason they did not wait until they could get an answer to the letter I sent to Mr. McKay.

"I did not know they were going to do it that day—there was no council held about it—the last proceeding was done before I knew about it, and I got no notice. After this everything will be quiet.

"Two of the Sioux who were connected with the shooting have left. Their names are Chaska and Cha-a-dishkatana. Since this happened the Sioux women cannot get work, and we are in a bad state to get food."

You will observe some of the foregoing was brought out by questions I put to him as his statement was being given. At the close I urged upon the chief the obligation he was under to have the accused, who were yet here, surrendered for trial, assuring him that a good interpreter would be obtained, and all the witnesses on their behalf. I required to know his mind, and what he was prepared to do, but would give him time to consult with his people. I would wait for his reply until 10 a.m. to-morrow (Friday). He seemed very unwilling to meet me again, but at last promised to do so.

On Friday morning, according to agreement, we met at the house of Mr. Setter. The chief was accompanied by his brother and five other Indians of the band.

He said: There are so many different opinions amongst the Sioux that he compared it to a great wind in the forest, and that everything is in such a state that he does not like to take any responsibility upon himself. A little while since he had six councillors, but now they have all scattered, and he is alone. What I said to him last night made him sweat so as he never sweat before—it was like a river of water on his back. He had made several trips to Winnipeg, in order to know the Queen's law, and he wished to keep the law.

It was evident that he is a chief in name only, having no power whatever in opposition to the will or wishes of the tribe. He could not venture to give full expression to his own views, even in the presence of those who were with him, as not only would his authority be condemned but his own safety imperilled. Therefore no aid could be expected from the Sioux band, or any portion of it, towards arresting the parties accused.

There are three camps in all of the Sioux between Portage la Prairie and Poplar Point, numbering 42 tents. Some of them, after the murder, had gone west—probably about 20 tents.

Under all the circumstances, I judged it prudent not to attempt an arrest, as it would doubtless have been opposed by force, and the scattered and unprotected state of the settlers' families would have exposed them, in all probability, to fearful retaliation. The case is involved in very considerable difficulty, and I am unprepared to suggest any definite action in regard to it.

When the Sioux Indians were brought before the justices of the peace for examination they were not arrested, but induced to come without their arms, in order merely "to have a talk about the matter," and it was only when their suspicions were aroused to the idea that they were going to be held as prisoners that they made their hasty escape, offering violence to no one, but risking their own hurt to get away.

To let the matter rest where it is might possibly lead the Sioux to presume upon the weakness of the civil authority, and this is the point of greatest difficulty, as I view it.



If, however, further proceedings against them can be stayed now and proper communication be made to the tribe on the subject by some commissioner or agent of the Indian Department, I am convinced they will be held in check from the commission of further outrage while they remain in that neighborhood.

Suspicion and distrust prevail largely amongst both white and Sioux, and a trivial indiscretion might lead to deplorable results.

If a respectable detachment of the military or Mounted Police could be stationed at the Portage for a few months, much positive good could be done, and the possibility of serious evils averted. As you must be aware, there is a considerable band of the Saulteaux tribe on the Assiniboine, above the Portage, who are anything but friendly or peaceably disposed, and a little trouble at the Portage with the Sioux would very likely arouse them to the commission of fearful atrocity.

Knowing you are about leaving for some time, I have written this very hurriedly and without revision, therefore very imperfectly, yet I hope sufficiently plain to convey to you a correct idea of the matter as it stands. You will please pardon, on this account, the imperfections in writing and diction.

I occupied as little time as possible in the execution of my mission, and incurred the necessary expenditure with all possible economy.

I may mention that I took Mr. Power (whom the Premier sent up to assist me) with me to the several interviews I had with the Indians.

I have the honor to be, Sir, your obedient servant,

G. McMICKEN, *C.D.P.*

Hon. ALEXANDER MORRIS, Lieutenant-Governor, Manitoba.

#### ANNEX M.

RUSSELL HOUSE, OTTAWA, 2nd November, 1875.

SIR,—I beg to lay before you the *resumé* of the representations lately made to you by the delegates of the Executive Council of the Province of Manitoba, in reference to the great inconvenience and expense to which the Government of the Province is subject, from the want of public buildings, and trust that the matter may receive your immediate and most favorable consideration.

I have the honor to be, Sir, your obedient servant,

JOSEPH ROYAL, *Minister of Public Works, Manitoba.*

Hon. A. MACKENZIE, Premier and Minister of Public Works, Ottawa.

#### ANNEX N.

The Province of Manitoba has had to this day no Parliament buildings, and the Legislature is very much inconvenient by the want thereof, as the sittings must be held in the provincial court room, thereby exposing both the Legislature and the court to difficulties arising from clashing of the holding of the several terms of the courts with the sittings of the Legislature. It is respectfully submitted that all the other Provinces of the Dominion have been granted by the Dominion Government buildings for public purposes, many of them of large value, and that Manitoba may justly and equitably claim that it should be similarly dealt with, the more especially as the revenue of the Province will, even under its improved condition, barely be sufficient to meet the requirements of the public service.

As to the want of a proper residence for the Lieutenant-Governor, the delegates beg to refer to the enclosures contained in a despatch of His Honor the Lieutenant-Governor to the Hon. the Secretary of State, dated Fort Garry, 18th January, 1875.

It is submitted that the temporary use of the two upper stories of the new Custom house at Winnipeg as a legislative hall, with rooms for committees and clerks, would, as suggested, for a time meet all the emergencies of the service.

Instructions might be sent to the proper officer in Winnipeg to fit up the said rooms for the destination aforesaid, which, in the opinion of the delegates, could be done at inconsiderable expense.

The cost of maintenance and ordinary repairs would gladly be assumed afterwards by the Provincial Government, though the control over the building should remain in the hands of the Federal authorities.

The whole, nevertheless, respectfully submitted.

#### ANNEX O.

RUSSELL HOUSE, OTTAWA, 2nd November, 1875.

SIR,—I have the honor to call your attention to the brief memo. hereto annexed, and the subject matter of which is of no inconsiderable importance to the settlers in the Province of Manitoba, on the line of the Pembina Branch of the Canadian Pacific Railway.

I have the honor to be, Sir, your very obedient servant,

JOSEPH ROYAL, *Minister of Public Works, Manitoba.*

HON. A. MACKENZIE, Minister of Public Works, Ottawa.

#### ANNEX P.

The construction of the bed, and the grading of the Pembina Branch of the Canadian Pacific road, having caused large ditches on both sides of the said road to be made, the farmers now find it impossible to get to the rear end of their lots, either to haul their hay or send their cattle to pasture. Application was made to the engineer of the road at Winnipeg on behalf of the parties interested, without any result, so far.

As delegates of the Provincial Government, we deem it our duty to respectfully call the attention of the Hon. the Minister of Public Works to this matter, so that steps may be taken, if possible, to remedy this grievance, which is seriously felt by all the settlers along the said line.

It is furthermore respectfully suggested that as in the upper portion (*i.e.*, from Pembina to St. Boniface) the said road passes for some distance through the settler's lots, and as in the lower section (*i.e.*, from St. Boniface or Winnipeg to the lower crossing) the railway line passes through all or nearly all settled lots, the road line in the respective townships might be continued, where practicable, clear through to the river, in the same direction, if possible, as it runs between the sections, so that the old settlers might have a good way to get to their lots.

#### ANNEX Q.

OFFICE OF THE MINISTER OF PUBLIC WORKS, CANADA,

OTTAWA, 15th November, 1875.

SIR,—I have the honor, at the request of Mr. Mackenzie, to acknowledge the receipt of your letter and its enclosure, dated the 2nd inst., stating that settlers on line of the Pembina Branch Railway find themselves seriously inconvenienced by being cut off from the rear portion of their lots by the ditches at the side of the track, and suggesting a plan for overcoming the difficulty.

I have the honor to be, Sir, your obedient servant,

WM. BUCKINGHAM.

HON. JOSEPH ROYAL, &c., &c., Winnipeg.

#### ANNEX R.

EXTRACT from *Minutes of Council held at Government House, Fort Garry, on the 3rd day of March, 1875.*

"Council request the Premier to forward the following telegraphic despatch to the Premier of the Dominion Government:

"With regard to Red River bridge, beg to inform you that, in response to Joint Address of Legislature, transmitted by Governor Archibald, on 11th March, 1872, Privy Council, by Order in Council, declined to build Assiniboine bridge, as being local work, but agreed that Red River bridge was necessity, and stated that



they would obtain an appropriation of fifty thousand dollars to construct it in connection with Dawson road.

"Legislature will claim the carrying out this pledge which was sanctioned by the vote of the money by Parliament."

A true extract.

SEDLEY BLANCHARD, C. E. C.

#### ADDENDUM.

At a final interview which Mr. Davis had with the Hon. Mr. Mackenzie before his departure for the Lower Provinces, in which he explained that there was a strong feeling of dissatisfaction prevailing among the people of Winnipeg, and also through the Province, at the prospect of not having the Pembina Branch cross the Red River at Winnipeg, he had the assurance from the Premier that if he could spare the time he would, the coming summer, visit the Province and satisfy himself in regard to the alleged grievances of the citizens of Manitoba, or failing to do so, would most probably send some prominent member of his Cabinet, who would, from personal observation, be able to report in regard to the matter, and in the meantime the grading of the Pembina Branch north of St. Boniface would be suspended.

#### MESSAGE.

DUFFERIN.

The Governor General transmits to the House of Commons certain papers having reference to the financial position of the Province of Manitoba.

GOVERNMENT HOUSE, OTTAWA, 29th February, 1876.

*COPY of a Report of a Committee of the Honorable the Privy Council, approved by His Excellency the Governor General in Council on the 26th October, 1875.*

The Committee of the Privy Council have had under consideration the memorandum hereunto annexed, prepared by the Hon. the Minister of Justice, on behalf of the sub-committee of Council appointed to confer with the Hon. Mr. Davis, the First Minister and Treasurer, and the Hon. Mr. Royal, the Minister of Public Works of the Province of Manitoba, on the subject of the financial position of that Province, and they respectfully report their concurrence in the views expressed by the sub-committee in the said memorandum, and advise that the same be approved, and that a copy thereof, and of the present Minute, be transmitted for the consideration of the Government of Manitoba.

Certified.

W. A. HIMSWORTH, *Clerk Privy Council.*

25th October, 1875.

The undersigned, who has been requested to prepare a memorandum on the recent discussions as to the finances of Manitoba, begs leave to report as follows:—

That Mr. Davis, the First Minister and Treasurer, and Mr. Royal, the Minister of Public Works of the Province of Manitoba, have been in communication with the sub-committee of Council on this subject.

They point out that in dealing with New Brunswick an additional allowance was made by the British North America Act, 1867, of \$63,000 a year, for ten years from the date of Union; that in dealing with Nova Scotia an additional allowance of \$82,698 a year, for ten years was made to that Province, based upon the fact of the allowance to New Brunswick; that in dealing with British Columbia her allowance, in respect of date as well as in respect of population, was calculated upon an assumed population of 60,000, while the actual population was not 11,000; that in dealing with Prince Edward Island her allowance for debt was calculated at the rate of \$50 per head on the population, instead of \$27.77, the rate assigned to the other Provinces,

and a special allowance of \$45,000 a year was made to her, in consideration of her not having any Crown lands; while in dealing with Manitoba, which has no Crown lands at her disposal, her allowance in respect of debt was calculated upon a population of 17,000 only, at the rate of \$27.77 per head, and her allowance in respect of population was calculated on the same estimate of 17,000.

They point out that the total resources of the Province derivable from the Dominion are as follows:—

Specific grant.....	\$30,000 00
80 cents per head on 17,000.....	13,600 00
5 per cent. interest on \$472,090 debt, at \$27.77 per head.	23,604 50
5 do 79,357 additional debt as adjusted in 1873.....	3,967 85
Total.....	<u>\$71,172 35</u>

They represent that the additional revenue of the Province has been insignificant, the only important item having been that of licenses for the sale of liquor, which at one time realized about \$10,000, but which, by the combined operation of a stringent license law and of the transfer to the city of Winnipeg of the fund derivable from licenses within that corporation, has been reduced to a trifling sum. They state that the only other sources of public revenue, the Province having no Crown lands, are marriage licenses and law fees, from neither of which can any considerable sum be expected.

They state that, looking to the fact that the bulk of the population is composed of new settlers, they cannot hope to realize forthwith from local taxation any considerable sum, and that the attempt at this time so to raise a substantial revenue would seriously impair the well-being of the Province.

They refer to the fact that in the short time which has elapsed since the formation of the Province, the population has increased from about 12,000 to about 36,000, thus very materially increasing the expenses of Government, and they give it as their opinion that this increase of population will be continuous for some years. They point out that in carrying on the Government of the Province up to this time the sum of \$158,386.11, as charged in the books of the Dominion on the settlement of the accounts up to 30th June, 1875, between the Province and the Dominion, has been advanced by the Dominion to supplement the deficiency in the revenue, that if the sum already advanced be capitalized the interest at 5 per cent. will amount to \$7,919.30, thus reducing the revenue of the Province from the Dominion to \$63,253.04.

They were asked to furnish an estimate of the annual expenditure for the future on the most economical scale.

From this estimate, which is annexed, it appears that their calculation of expenditure amounts to \$106,765 per annum, which would result in a deficiency of over \$43,000 annually.

The sub-committee of Council, on examination of this estimate, observe that it involves an expenditure in carrying on the machinery of government of between \$50,000 to \$60,000, very nearly the whole of the actual revenue, while only between \$40,000 and \$50,000 is proposed to be expended in the services of the administration of justice, education, agriculture, public works and charity.

It is the opinion of the sub-committee that the expenses of carrying on the machinery of government, as proposed in the estimate, are disproportionately large, and that no satisfactory results can be anticipated unless a simpler and less expensive system be adopted and greater economy be exhibited.

There may, perhaps, be difficulties in the adoption, at present, of the simpler and more rudimentary form of self-government which, in the opinion of the sub-committee, would have been most suitable for a country like Manitoba during its early settlement; but the sub-committee feel that the people of that Province should be called on carefully to consider the propriety of making such changes as may prevent the absorption of the great bulk of their available income in the payment of the



expenses of the machinery of government, and as may leave a substantial part, at any rate, free to be devoted to the maintenance and advancement of the material interests of the Province. Even if no more radical change be made, it appears to the sub-committee that the present form of government should be simplified and cheapened by the abolition of the second Chamber and the material reduction of the other expenses of government and legislation, and that (in case it is proposed to expend a sum larger than that which may be available from the Dominion) provision should be made for supplementing the revenue from local resources to the necessary extent, so as to avoid future deficits.

The sub-committee are of opinion that having regard to the whole circumstances of the case, it would be proper, provided the Local Government and Legislature should make such changes in their system as would (without diminishing the total aggregate amount to be devoted to the great objects of education, agriculture, public works, charity and administration of justice) bring down the total expenditure to a sum not exceeding (independent of the amount of local revenues) \$90,000; it would be proper to charge as an advance on the debt account the balance due the Dominion, and to invite Parliament to make an additional annual grant to the Province of \$26,746.96, being the amount necessary in order to raise its revenue derivable from the Dominion to \$90,000; such grant to commence from the 1st day of July, 1875, and to continue until 1881, when the Province will become entitled to the increased population allowance, based upon the census to be taken in that year.

The sub-committee observe that the Government of Canada has leased for a term of years, extending to 1880, at a rental of \$2,000 a year, the Hudson Bay Company's premises at Winnipeg, used as a Government House; and that as well as this rental, as the expense of repairs, has been borne hitherto by Canada, the sub-committee are unable to suggest that during the term of this lease the present arrangement as to the rent should be altered; but they advise that in view of the increased grant proposed the repairs from the 1st July, 1875, be paid by the Province.

EDWARD BLAKE.

ESTIMATES, &c., of Civil Government:—

	\$ cts.	\$ cts.
<b>1ST. LEGISLATIVE ASSEMBLY.</b>		
24 members, at \$300.....	7,200 00	
Mileage.....	150 00	
Speaker.....	800 00	
Clerk.....	700 00	
Sergeant-at-Arms.....	100 00	
Messenger.....	500 00	
Extra Clerk, Translator, stationery, &c.....	1,700 00	
		11,150 00
<b>2ND. LEGISLATIVE COUNCIL.</b>		
7 members, at \$300.....	2,100 00	
Mileage.....	40 00	
Speaker.....	500 00	
Usher.....	75 00	
Clerk.....	700 00	
Extra Clerk, Translator, stationery, &c.....	300 00	
		3,715 00

Estimates, &c., of Civil Government—Continued.

	\$ cts.	\$ cts.
3RD. CIVIL GOVERNMENT.		
Provincial Treasurer.....	2,000 00	
Minister of Public Works.....	2,000 00	
Provincial Secretary.....	2,000 00	
Attorney-General.....	2,000 00	
Minister of Agriculture.....	1,000 00	
Clerk of Executive Council.....	500 00	
Private Secretary, Lieutenant-Governor.....	1,000 00	
Deputy Provincial Treasurer.....	1,200 00	
do Secretary.....	1,200 00	
Messenger, Governor's Office.....	600 00	
Two Messengers, Lieutenant-Governor.....	1,000 00	
Administration of Justice.....	15,000 00	
Law Clerk Department and stationery.....	2,100 00	
Education.....	10,000 00	
Agriculture.....	3,000 00	
Road service and bridges.....	10,000 00	
Public buildings.....	7,000 00	
Lieutenant-Governor's residence.....	6,000 00	
Charity, hospital and asylums.....	4,000 00	
Caretaker of Governor's office.....	300 00	
Provincial gaol.....	6,000 00	
Printing.....	9,000 00	
Miscellaneous.....	5,000 00	
		30,800 00
		\$106,765 00

RUSSELL HOUSE, OTTAWA, 26th October, 1875.

SIR,—I am directed to transmit to you herewith, for the information of the Government of the Province of Manitoba, a copy of an Order of His Excellency the Governor General in Council, on the subject of the representations made by yourself and the Hon. Mr. Royal, on behalf of that Government, in reference to the financial position of the Province.

I have, &c.,  
EDOUARD J. LANGEVIN, *Under Secretary of State.*

Hon. R. A. DAVIS, Provincial Treasurer of Manitoba.

RUSSELL HOUSE, OTTAWA, 27th October, 1875.

SIR,—We beg to acknowledge the receipt of your letter of to-day, covering a copy of an Order in Council on the subject of the representation made by ourselves on behalf of the Government of the Province of Manitoba, in reference to the financial position of the Province.

The abolition of the Legislative Council, in order to simplify our political machinery and bring down the expenses of legislation, has always been the policy of the present Administration, and it is expected that no serious difficulty will be met in finally carrying this through at the next sitting of the Provincial Legislature.

The settlement of accounts between the Dominion Government and the Province of Manitoba we take it to be final, and the debt of the Province will stand at the figure indicated in the said Order in Council.

We have no doubt that the decision arrived at by the Dominion Government, with respect to the financial affairs of our Province, will be gladly received by the



whole population of Manitoba, exhibiting, as it does, the interest which is manifested respecting its progress and prosperity.

We have, &c.,

R. A. DAVIS, *Provincial Treasurer, Manitoba.*

J. ROYAL, *Minister of Public Works, Manitoba.*

Hon. R. W. SCOTT, Secretary of State, Ottawa.

31st January, 1878.

To His Excellency the Right Honorable Sir Frederick Temple, Earl of Dufferin, Viscount and Baron Clandeboye, of Clandeboye, in the County Down, in the Peerage of the United Kingdom; Baron Dufferin and Clandeboye, of Ballyleidy and Killeleagh, in the County Down, in the Peerage of Ireland, and a Baronet, Knight of Our Most Illustrious Order of St. Patrick, and Knight Commander of Our Most Honorable Order of the Bath, Governor-General of Canada and Vice-Admiral of the same :

MAY IT PLEASE YOUR EXCELLENCY :

We, Her Majesty's most dutiful and loyal subjects, the Legislative Assembly of the Province of Manitoba, in Legislature assembled, humbly approach Your Excellency, for the purpose of representing,

That according to the last reports of the Superintendents of Education there are fifty-three schools in operation, having 2,800 children in attendance, and that by the last published census there are, in the organized school districts, 4,777 children of school age; that in 18 of those districts it is at present found impossible to maintain the schools, and that there are at least 15 new districts in the course of organization. Besides, a representation has been lately made by the Mennonites, of their desire to participate in the means at the disposal of the Board. We would require a teacher for each of their villages, which opens up the prospect of about 60 more schools.

That a university has been founded which will be making some demand on the funds available for education.

That the only means at the disposal of the Board is a grant of \$8,000 from the Provincial Legislature.

That the grant of \$8,000, when divided even among the present 53 schools, after the payment of necessary expenses, is a mere pittance of about \$110, and if all the schools were established which ought to be, it would simply amount to about \$40.

That we cannot better illustrate the sad condition in which the schools of this Province are placed than by contrasting it with that of the sister Province of British Columbia. From the report of the Superintendent of Education in that Province, it appears that there are 40 schools in operation, having an attendance of 1,685 children, and that the Local Legislature was able to give a grant of \$63,000 for teachers and schools.

That we see no means available for supplying the educational wants of the Province, except the school lands that have been reserved for educational purposes.

We would humbly represent that there are 430,080 acres in the school reserves of the Province, of which 92,800 acres are in the railway reserve.

We would humbly pray that this land be taken back by the Dominion at the Government prices of such land, and that an annuity from the funds accruing therefrom be paid the Government of this Province, at the rate of 3 per cent. for the first year, to be increased yearly  $\frac{1}{2}$  per cent., until it amounts to 6 per cent.

We would, therefore, humbly pray that Your Excellency will be pleased to take such steps as may be necessary to carry out the views of the Legislature.

The Hon. Attorney-General Royal presented to the House, by command of His Excellency the Lieutenant-Governor,

Return to an Address, praying that His Excellency will cause to be laid before this House, a return of all tenders received during 1877 for printing, showing the amount of each, and to whom the printing was awarded, and by whom it is now being performed. Also, if the lowest tender was accepted, and if not, why it was not.

Mr. Lemay moved the following resolutions, seconded by Mr. Taylor,

Whereas it is deemed expedient that this House should properly appreciate the present condition the farming community is in ;

And whereas the want of railroad communication or transportation facilities is a great drawback to this farming community ;

And whereas it is very much to be regretted that the Dominion Government has been unable to fulfil the promise of a railroad, made at the time of the renewal of the tariff of 4 per cent., of which the Dominion Government acknowledges at that time the Province of Manitoba entitled to, on account of her being so disadvantageously situated, and in a worse position than any of her sister Provinces of the Dominion ;

And whereas the Dominion Government refused the renewal, for two years, of the 4 per cent. tariff, on the ground that the Province was promised a railroad at the end of one year ;

And whereas the Province of Manitoba, though without the promised railroad, has been saddled with the average 17 per cent. Dominion tariff for the last three years ;

And whereas, as long as the Province of Manitoba was acknowledged entitled to a tariff of 4 per cent. on account of her want of transportation facilities, and she being now in the same position she was then, with the only difference that this inconvenience is now felt worse than ever before, her surplus of farming produce being without outlet, the imposition of the 17 per cent. tariff by the Dominion Government before the fulfilling of her promise was and is a great hardship inflicted upon the people of this Province ;

And whereas the farmers of this Province are now in a very sad predicament, the most of them being unable to satisfy their indebtedness to the Dominion Government for advances received from their relief committee in the spring of 1876, as it would take, from many of them, two years' crops, at the present low nominal figures grain sells for, for want of transportation facilities, to pay for same ;

And, whereas, the difference between the 4 per cent. tariff, which should have been left unchanged to this day, and that of 17 per cent., improperly imposed on this Province, amounts to considerably more than the amount advanced by the Dominion Government as relief or aid to the sufferers from the destruction of the crop by the grasshoppers, in 1875 ;

I. Be it Resolved, That the Hon. senators and members of the Commons, representing the Province of Manitoba in the Dominion Parliament be and they are hereby respectfully requested to use their utmost endeavors in urging the Dominion Government to look favorably into the propriety and expediency of remitting and wiping out the whole of this indebtedness, and to order a general release and discharge of all the mortgages given by the farmers of Manitoba to secure the payment of such advances.

II. Resolved, That it is the sense of this House that the Dominion Government deserve the thanks of the people of this Province for the prompt and opportune relief they extended to them in 1876.

III. Resolved, That in submitting respectfully to the favorable consideration of the Dominion Government their prayer for the full remittance of their indebtedness, this House does it without any feeling of begging or repudiation, but simply because they have faith in the justice of their claim.

IV. Resolved, That copies of these preambles and resolutions be furnished to each of the Hon. senators and members of the Commons representing the Province of Manitoba in the Dominion Parliament.

The Hon. Mr. Davis, from the select committee, appointed to prepare and draft an Address to His Excellency the Governor General, relative to the relief granted to sufferers from the grasshoppers' plague, reported an Address, which was read as follows :—

To His Excellency the Right Hon. Sir Frederic Temple, Earl of Dufferin, Viscount and Baron Clandeboye, of Clandeboye, in the County Down, in the Peerage of



the United Kingdom; Baron Dufferin and Clandeboye, of Ballyleidy and Killeleagh, in the County Down, in the Peerage of Ireland, and a Baronet, Knight of Our Most Illustrious Order of St. Patrick, and Knight Commander of our Most Honorable Order of the Bath, Governor General of Canada and Vice-Admiral of the same:

**MAY IT PLEASE YOUR EXCELLENCY:**

We, Her Majesty's most dutiful and loyal subjects, the Legislative Assembly of the Province of Manitoba, in Legislature assembled, humbly approach Your Excellency for the purpose of representing,—

That it is with a due sense of gratitude we remember the action of the Government of the Dominion in assisting and relieving, by the contribution of a certain quantity of grain, flour and provisions, the inhabitants of the country who suffered from the destruction of crops by the grasshoppers during several years.

That it was then understood by the said inhabitants who received a share of those provisions that it was a Government loan, which had to be refunded to the same extent, so soon as it would be possible for the said relieved inhabitants to do so, and that the acknowledgment of debts then given by them, in the shape of mortgages, was only intended to establish the amount of such mortgages, according to the then existing price of grain and provisions.

That although, fortunately, the harvest of last year has been favorable enough, yet, added to the crop of the preceding year, it has not been sufficient to cover the amount of damage caused by the deficiency of crops during more than ten years previous, and that now, in the absence of railway communication, the grain cannot be sold, unless at a very low and unremunerative rate.

That the total payment of those debts would leave the debtors, at least a large number, under the same circumstances as they were before.

That the said inhabitants, who always struggled to overcome the misfortunes to which they had been subjected by the will of Providence, have a right to the protection and generosity of the Government.

We would most respectfully submit to Your Excellency that, in the opinion of this House, the Dominion Government would be pleased to allow those who have received assistance, in the shape of grain and provisions, to return the same in equal quantity and weight as originally loaned, and that the same may be accepted as satisfaction in full of all claims held by the Government of the Dominion against the lands of those who were so unfortunate as to require such loan.

This House would further respectfully represent that, should the Dominion Government not be pleased to accept this proposition, then we would humbly pray for an extension of time for repayment, of two years, or until such time as railway communication may be had in connection with the railway system of Canada and the United States.

On motion of Mr. Chenier, seconded by Mr. Gunn,

Resolved, That an humble Address be presented to the Privy Council of Canada, representing that in order to improve the navigation of the Assiniboine River, His Excellency the Governor General be pleased to direct that a sum of money be placed in the Estimates to be submitted to Parliament at its next Session—such sum to be appropriated for the aforesaid object of great public necessity; and that a committee, composed of Messrs. Brown, Cowan, McKenzie, Taylor, Lepine and Chenier, be appointed to draft the said Address.

7th February, 1879.

The Hon. Mr. Nolin, seconded by Mr. Murray, moved the following resolution:

Whereas it is deemed expedient that this House should properly appreciate the present condition the farming community is in, through advances of relief received from the Dominion Government in the spring of 1876,

I. Be it Resolved, That the Hon. senators and members of the Commons, representing the Province of Manitoba in the Dominion Parliament, be and they are hereby respectfully requested to use their utmost endeavors in urging the Dominion

Government to look favorably into the propriety and expediency of remitting and wiping out the whole of this indebtedness, and to order a general release and discharge of all the mortgages given by the farmers of Manitoba to secure the payment of such advances.

II. Resolved, That it is the sense of this House that the Dominion Government deserve the thanks of the people of this Province for the prompt and opportune relief they extended to them in 1876.

III. Resolved, That in submitting respectfully to the favorable consideration of the Dominion Government their prayer for the full remittance of their indebtedness, this House does it without any feeling of begging or repudiation, but simply because they have faith in the justice of their claim.

IV. Resolved, That copies of these preambles and resolutions be furnished to each of the hon. senators and members of the Commons representing the Province of Manitoba in the Dominion Parliament.

The Hon. Mr. Norquay moved, in amendment, seconded by Mr. Sutherland, That in the opinion of this House the Government of Canada should, in consideration of the exceptional position of the farmers then relieved, accept from the mortgagees a quantity of grain and provisions equal to that advanced to them as payment in full for all claim against the lands of said parties.

Mr. Biggs moved in amendment to the proposed amendment, seconded by Mr. Drummond,

That this House memorialize the Dominion Government to extend the time for the payment of the relief given by the Dominion Government to the settlers of this country during the grasshopper plague of 1874.

2nd June, 1879.

Resolved, That an humble Address be presented to His Excellency the Lieutenant Governor, praying His Excellency to cause to be laid before this House copy of all correspondence between the Dominion Government and the Government of this Province, relative to the advance by the former of ten thousand dollars yearly for school purposes on the security of our school lands.

The House then adjourned at 5:30 p.m.

(44d.)

## MESSAGE.

LORNE.

The Governor General transmits to the House of Commons certain papers having reference to the financial position of the Province of Manitoba.  
GOVERNMENT HOUSE, 28th April, 1879.

### *Memorandum to Council.*

The undersigned has the honor to report that he has had submitted to him an application from the Hon. J. Norquay, Provincial Treasurer, and the Hon. Joseph Royal, Minister of Public Works of the Province of Manitoba, asking, on behalf of that Province, that re-arrangements should be made of the amounts paid on account of the annual subsidy. The undersigned has the honor to report that on the admission of that Province into the Union a sum of \$30,000 was allowed annually on account of the cost of Government.

That an allowance was made at the rate of 80 cents per head on an assumed population of 17,000, amounting to \$13,600. That the interest on the balance of the debt amounts to \$19,653.04, and that by re-arrangement made by Order in Council of the 26th October, 1875, confirmed subsequently by 39 Vic., chap. 3, an additional allowance was made, until the end of the year 1881, of \$26,746.96, bringing up the total subsidy payable yearly to the sum of \$90,000. Messrs. Norquay and Royal, in the memorial now presented, represent that the Province has no Crown lands, and that the increase in population has been altogether in excess of their calculations. That as this population is composed largely of new settlers, they are unable, at present, to realize any income to carry on the expenses of government, and that.



by the estimate submitted it is shown that, at the present date, the population is 53,540.

That, at the present moment a large immigration is taking place into the Province, and that it is presumed that before the close of the season the population will have reached 70,000 souls.

Under the circumstances, the undersigned recommends that the annual allowance of \$90,000 be increased, until the end of the year 1881, to \$105,653.04, being made up as follows: \$30,000, cost of Government; \$56,000, being at the rate of 80 cents per head on an assumed population of 70,000, and \$19,653.04, being the interest on balance of capital at 5 per cent.

With respect to the request that advances be made from the capital account of the Province for drainage purposes, the undersigned regrets that he cannot recommend that the application be entertained.

Respectfully submitted.

S. L. TILLEY, *Minister of Finance.*

FINANCE DEPARTMENT, 15th April, 1879.

EXTRACT of a Report of a Committee of the Honorable the Privy Council, approved by His Excellency the Governor General in Council on the 18th April, 1879.

The Committee have had under consideration a report submitted by the sub-committee of Council appointed to confer with Messrs. Norquay and Royal, members of the Executive Council of the Province of Manitoba, who have been deputed by the ex-Council of that Province to "proceed to Ottawa and urge upon the Government of the Dominion a consideration of certain matters affecting the progress and welfare of that Province." \* \* \* \* \*

The Committee having given full consideration to the representations made to the sub-committee on the above subject, and to the report of the sub-committee thereon, respectfully recommend:—

That with respect to the advance asked for on capital account, the Committee append the report of the Minister of Finance, to whom the above subject was referred, and they recommend, in accordance therewith, that the subsidy now paid to the Province of Manitoba, of \$90,000, be, for the reasons mentioned by the Minister in that report, increased up to the end of the year 1881 to the sum of \$105,653.04, made up as therein stated, but they are unable, for the reasons given therein, to recommend any advance being made on capital account to that Province.

RUSSELL HOUSE, 1st April, 1879.

SIR,—I have the honor to enclose you herewith an approximate estimate of the population of Manitoba as it will be by the close of navigation. I have also taken the liberty of submitting the reasons I have for arriving at such conclusions.

I have the honor to be, Sir, your obedient servant,

J. NORQUAY, *Provincial Treasurer.*

Hon. S. L. TILLEY, Minister of Finance.

#### POPULATION OF MANITOBA—1878.

Westborne . . . . .	450
Burnside . . . . .	575
Portage la Prairie . . . . .	300
High Bluff and Poplar Point . . . . .	265
Base St. Paul . . . . .	331
Pembina . . . . .	1,300
St. François Xavier, West . . . . .	100
do do East . . . . .	101
Headingly . . . . .	161
St. Charles . . . . .	215
St. James . . . . .	152
Winnipeg . . . . .	1,500

Kildonan . . . . .	159
St. Pauls . . . . .	235
St. Andrews, South . . . . .	151
do North . . . . .	190
St. Clements . . . . .	236
Rockwood . . . . .	750
Springfield . . . . .	450
St. Boniface . . . . .	308
St. Vital . . . . .	186
St. Norbert . . . . .	169
St. Agathe . . . . .	1,050
St Anne . . . . .	206
Number of voters . . . . .	9,540
Ratio of five persons to each voter . . . . .	5
	<hr/>
	47,700
Total number of Mennonites . . . . .	5,840
	<hr/>
	<u>53,540</u>

As an example of the ratio of five souls to each voter, we may quote Winnipeg, which has a population of 9,000, and only 1,500 voters. The ratio of single men in Winnipeg is greater than in the country, where most of the settlers are married, with families.

The population, in 1870, before Confederation, was 12,000 souls, according to census returns.

Immigration in 1872 . . . . .	1,400
do 1873 . . . . .	1,256
do 1874 . . . . .	2,956
do 1875 . . . . .	6,034
do 1876 . . . . .	4,912
do 1877 . . . . .	6,511
do 1878 . . . . .	4,000
	<hr/>
	<u>39,069</u>

It will be observed from the above that the immigration for 1871 is omitted, as it took place prior to the organization of the Department.

The above has been taken from agents' reports, but does not show the correct number of immigrants, as a great many arrived in Manitoba who are not classed as immigrants, and who do not come under the official notice of the agents. For instance, Mr. Graham reports an immigration to Manitoba of 11,000 souls in 1878, but in the agent's report 4,000 only appears. Besides, it may be proper to mention that a very large increase of our population is expected this year. As near as possible, without a census, our actual population may therefore be placed at present from 50,000 to 55,000 souls. In all probability there will be an increase this year of from 15,000 to 20,000 souls, which would make our population, by the close of navigation, at least 70,000 souls.

OTTAWA, 24th March, 1879.

SIR,—With reference to our interview of this morning with the sub-committee of the Privy Council, comprised of yourself and Honorable Messrs. Pope and Baby, the undersigned beg to submit for the consideration of the sub-committee the following statement and conclusions respecting the financial position of the Province of Manitoba.



The total resources of the Province derivable from the Province are as follows:—

Specific grant . . . . .	\$30,000 00
80 cents per head on 17,000 population . . . . .	13,600 00
5 per cent. (per head $27\frac{77}{100}$ on 17,000) \$472,090. . . . .	23,604 00
5 per cent. on additional debt as adjusted in 1873 . . . . .	3,967 35

\$71,172 35

Withdrawn from capital up to 30th June, 1875, \$158,386.11, at 5 per cent. interest . . . . .	7,919 31
--	----------

\$63,253 04

Additional grant, commencing from 1st July, 1875 . . . . .	26,746 96
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\$90,000 00

The local revenue of the Province, which has no Crown lands, is derived from licenses, law stamps, ferries and fines. The following comparative statement of the receipts from those various sources of local income, covering a period of four years, from 1875 to 1878, will show the extent of the said revenue:—

	1875.	1876.	1877.	1878.
Licenses . . . . .	\$7,764 00	\$7,614 00	\$3,880 00	\$3,950 00
Fines . . . . .	226 85	957 50	161 00	422 45
Fees . . . . .	48 29	595 29	393 79	296 04
Jury fund . . . . .	144 00	.....	144 00	132 00
Ferries . . . . .	450 00	300 00	300 00	760 00
Miscellaneous . . . . .	221 60	253 92	161 00	626 45
Wild land tax . . . . .	.....	4,316 55	2,408 45	278 79
Law stamps . . . . .	.....	.....	2,159 75	2,398 20
	<u>\$8,854 74</u>	<u>*14,037 26</u>	<u>\$9,607 99</u>	<u>\$8,863 93</u>

\* NOTE.—This amount, owing to a change in our financial year, is for 18 months.

It will be noticed that the important item of license has been reduced largely by the combined operation of a stringent license law, and from the fact that as soon as a municipality is formed the fees belong to the corporation.

From the above statements it will be seen that the total resources of the Province stand at the nearly fixed sum of \$98,000, and that the local income is very little influenced by the increase of population.

The undersigned beg now to give a comparative statement of the expenditure of the Province from 1st July, 1874, to 31st December, 1878:—

Service.	12 months, to 30th June, 1875.	18 months, to 31st Decem- ber, 1876.	12 months, to 31st Decem- ber, 1877.	12 months, to 31st Decem- ber, 1878.
	\$ cts.	\$ cts.	\$ cts.	\$ cts.
Legislation.....	15,686 67	14,917 47	11,912 25	11,242 28
Civil Government.....	15,293 65	22,683 78	16,692 00	15,867 33
Administration of justice.....	12,673 75	19,116 58	16,513 25	18,317 99
Agriculture.....	5,254 00	3,023 70	1,000 00	1,297 00
Charities.....	1,500 00	3,500 00	1,000 00	2,500 00
Printing.....	5,909 93	19,003 77	10,000 00	9,000 00
Public buildings and Government House.....	6,935 90	22,829 24	8,773 98	8,548 37
Provincial gaol.....	3,241 40	5,406 16	3,703 14	4,248 58
Road service.....	6,609 71	12,844 59	5,858 06	11,720 73
Education.....	7,000 00	10,500 00	8,000 00	10,000 00
Miscellaneous.....	7,082 67	11,424 32	7,831 08	9,793 71
Small pox attendance.....	.....	.....	.....	5,390 35
	<u>86,377 68</u>	<u>145,249 61</u>	<u>91,273 76</u>	<u>107,926 37</u>

The above statement shows an increase in the expenditure of 1878, compared with 1875, of the following services :—

Civil Government . . . . .	\$573 68
Administration of justice . . . . .	5,644 24
Charities . . . . .	1,000 00
Printing . . . . .	3,900 07
Public buildings . . . . .	1,612 47
Provincial gaol . . . . .	1,007 18
Road service . . . . .	5,111 02
Education . . . . .	3,000 00
Miscellaneous . . . . .	2,711 04
	<hr/>
	\$24,559 70

and a decrease in legislation of about \$5,000, consequent upon the abolition of the Legislative Council.

The undersigned beg respectfully to submit the following estimate of the annual expenditure for the years 1879, 1880 and 1881, on the most economical scale compatible with the increasing demands upon the revenue.

LEGISLATIVE ASSEMBLY.

24 members . . . . .	\$7,200 00
Mileage . . . . .	150 00
Speaker . . . . .	800 00
Clerk . . . . .	700 00
Sergeant-at-Arms . . . . .	100 00
Sessional clerks and messengers, &c. . . . .	1,500 00
Translating . . . . .	1,000 00
Law clerk . . . . .	500 00
Treasurer . . . . .	2,000 00
Deputy . . . . .	1,200 00
Auditor . . . . .	500 00
Secretary . . . . .	2,000 00
Deputy . . . . .	1,200 00
Minister of Public Works . . . . .	2,000 00
Deputy . . . . .	900 00
Attorney-General . . . . .	2,000 00
Minister of Agriculture and President of Council . . . . .	2,000 00
Organization of Bureau of Statistics . . . . .	1,500 00
Clerk of Executive Council and Private Secretary . . . . .	1,200 00
Queen's Printer . . . . .	500 00
Messenger . . . . .	700 00
Caretaker . . . . .	350 00
4 registrars . . . . .	2,000 00
2 police magistrates . . . . .	500 00
Stationery for Parliament and offices . . . . .	2,000 00
Government House . . . . .	5,000 00
Public buildings . . . . .	10,000 00
Administration of justice . . . . .	20,000 00
Printing . . . . .	12,000 00
Gaol . . . . .	5,000 00
Charities . . . . .	4,000 00
Road service . . . . .	20,000 00



Agriculture	5,000 00
Education	20,000 00
Total	\$135,500 00
Miscellaneous	7,000 00
Grand total	\$142,500 00

By comparing these estimates with the expenditure of the three previous years it will be seen that this required increase bears chiefly on the following services viz. :—

Civil Government, organization of Bureau of Agriculture and Statistics and Department of Attorney-General, &c.	\$5,550 00
Public buildings, general increased expenditure	6,000 00
Administration of justice do do	4,500 00
Printing, general increased expenditure	2,000 00
Provincial gaol do do	1,000 00
Hospitals do do	1,500 00
Road service do do	10,000 00
Agriculture do do	2,500 00
Education do do	10,000 00
Total	\$43,050 00

In connection with the foregoing estimates we beg to offer the following observations:—

The insufficiency of the provincial income is partly demonstrated by the fact that in the first period of four years of the entrance of the Province into Confederation a sum of \$158,386.11 was expended, in addition to the regular annual subsidy of the Province, which was then about \$67,200 in round numbers, or, in other words, a sum of \$106,700 was expended in each year to meet the public necessities.

Later in 1875 a grant was obtained, which added \$26,746.96 to the provincial subsidy, and fixed our income from Dominion sources at \$90,000. By the carrying out of a most energetic system of economy, sometimes incompatible with the dignity of our institution, and by ignoring persistently the ever-increasing requirements of the Province filling up by immigration, it was possible for the Executive Council of Manitoba to keep public expenditure within the limits of its revenue. But after four years it is found impracticable to carry on any longer the administration of public affairs with a fixed and inelastic income and a population increasing steadily, and in great numbers every year.

In the old settled Provinces the increase in population is regular and moderate, and generally carries with it a corresponding increase in the revenue by the sale of their Crown lands. In Manitoba the population has increased three-fold within the short space of eight years, and this spasmodic progress, without any corresponding elasticity in the public revenue, has become a chronic source of uneasiness and difficulties of all sorts, both to the provincial Executive and for the citizens.

We may be here permitted to again refer to the very unsatisfactory footing upon which the Province of Manitoba was placed at the outset in the financial arrangements that were made, and in which, no doubt, it is little expected that the Province would make, within such a short period of time, the rapid strides that her population and natural resources have made.

In dealing with New Brunswick an additional allowance was made by the B. N. A. Act of 1867, of \$63,000 a year, for ten years from the date of the Union; in dealing with Nova Scotia an additional allowance of \$82,698 a year, for ten years, was made to that Province, based upon the fact of the allowance to New Brunswick; in

aling with British Columbia, her allowance in respect of debt as well as of population was calculated upon an assumed population of 60,000, while the actual population is not over 11,000; in dealing with Prince Edward Island her allowance for debt is calculated at the rate of \$50 per head of the population, instead of \$27.77, the rate assigned to the other Provinces, and a special allowance was made to her in consideration of her not having any Crown lands; in dealing with Manitoba, which has no Crown lands at her disposal, her allowance in respect of debt was calculated on a population of 17,000 only, at the rate of \$27.77 per head, and her allowance in respect of population was calculated on the same estimate of 17,000. Such is a disproportionate treatment of the Province of Manitoba by the Dominion of Canada, and in claiming that an additional grant of \$40,000 each year, until 1881, is granted, the undersigned confidently rest their claim upon justice and upon its merits.

By the 37th Vic., chap. 17, of the statutes of the Dominion of Canada, it is enacted that any Province may, in the discretion of the Governor in Council, be authorized to make advances for local improvements in the Province, such advances being deemed additions to the debt of the Province. Now, by the schedule hereunto annexed, it will be seen by the sub-committee of the Privy Council that the Provincial Executive contemplate certain public works for which money will have to be obtained, and the undersigned most respectfully and most earnestly submit that the Province be allowed to draw the said sum of money from her capital account at such time and in such payments as may hereafter be agreed.

It is obvious that by their nature and their importance those public works which have become a matter of necessity for the welfare of the settlement of the Province are not chargeable to current expenditure. They are of a permanent character, and all, as such, form part of the capital of the Province. In asking, therefore, that the Provincial Executive be allowed to withdraw so much of the capital upon which the Dominion of Canada pays Manitoba 5 per cent. as will be necessary to carry out these public improvements, the undersigned feel confident that the most favorable consideration will be given to their request.

It is proposed to drain the following portions of the Province, by which it is expected a large area of waste land will be reclaimed, and the public roads improved. By the "Drainage Act," contemplated by the Government of Manitoba, provision is made that certain districts be surveyed and laid off by competent engineers, an estimate of the probable cost submitted to the Department of Public Works, and the process of draining proceeded with under the auspices of the Local Government. After which it is intended that the cost of draining, when ascertained, be defrayed by a tax upon the land improved, thus making the lands themselves bear the cost of improvement; but lest the provision should be considered onerous, it is intended to defer over a period of ten or twenty years the payment of the same, with a very light interest on the amount of cost. It will be seen that it is necessary that a sum of money for immediate use in this connection be placed at the disposal of the Government, in order that the work may be proceeded with with as little delay as possible. It is impossible, at this date, for the delegates to form an approximate idea of the cost of these contemplated improvements, as the reports of the engineers instructed to take levels and report upon the probable cost of draining the three most injurious reservoirs of water were not received before leaving for Ottawa, except in the case of the survey of Baie St. Paul, in the Province, where it is estimated a drain of six miles will necessitate the expenditure of \$5,000. The portions requiring immediate attention are:

Townships 13, 14, 15, 16, Range 3, east.

do 9, Range 4, east.

do 8, do 5, do

do 7, Ranges 2, 3, 4, west.

do 13, do 9, 10, do

do 15, 16, 17, Range 11, east.



We would respectfully observe that these receptacles, though apparently occupying a small space on the map, yet are the means of rendering useless a very large area of country, from their extension through adjoining townships, on account of the level nature of the country, so that the road is often rendered impassable, though the primary cause may be distant 15 or 20 miles.

The delegates would respectfully represent that the sum of \$50,000 be withdrawn from the capital of the Province of Manitoba to be expended in the prosecution of the works referred to. We would also respectfully ask for a further withdrawal of \$50,000 for the purpose of aiding the construction of county buildings throughout the Province, and a provincial gaol and court house. The insecurity of the buildings at present used for registration and the records of the courts is a source of great anxiety to the Government, and except in the case of the registry office of the county of Selkirk, where the city of Winnipeg has provided substantial accommodation, incalculable loss might result to the Province at any time from the destruction by fire, or otherwise, of the records kept in the various registry and court offices.

We have the honor to be, Sir, your obedient servants,

J. NORQUAY, *Provincial Treasurer.*

JOSEPH ROYAL, *Minister of Public Works.*

Hon. A. CAMPBELL, Receiver-General, Ottawa, and

Hon. Messrs. POPE and BABY.

10th February, 1880.

On motion of Mr. Hay, seconded by Mr. Norquay,

Resolved, That an humble Address be presented from this House to His Excellency the Governor General in Council, praying the Government to place an amount in the Estimates for the purpose of constructing a steam dredge for the use of the Red and Assiniboine Rivers.

On motion of Mr. Cowan, seconded by Mr. Drummond,

Resolved, That an humble Address be presented to the Dominion Government, praying that the boundaries of this Province may be enlarged.

FRIDAY, 13th February, 1880, 3 o'clock p.m.

The Hon. Mr. Norquay, from the select committee appointed to prepare and draft an Address to His Excellency the Governor General, on the subject of the extension of the boundaries of the Province, reported that they had prepared an Address, which was read as follows:—

To the Right Honorable Sir John Douglas Sutherland Campbell, Marquis of Lorne, Knight of the Most Ancient and Most Noble Order of the Thistle, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Governor General of Canada, and Vice-Admiral of the same :

MAY IT PLEASE YOUR EXCELLENCY :

We, Her Majesty's most dutiful and loyal subjects, the Legislative Assembly of Manitoba in session assembled, humbly approach Your Excellency for the purpose of representing—

That in the opinion of this Legislature the boundaries of the Province of Manitoba are too circumscribed, and that the same could be extended easterly, westerly and northerly with advantage to the Dominion of Canada.

That this Legislature has already, at the suggestion of the Privy Council of Canada, passed an Act to provide for the enlargement of the limits of the Province (37 Vic., chap. 2, statutes of Manitoba).

That the sum placed at the disposal of the Province for the ordinary expenses of Government is utterly inadequate to meet the just requirement thereof.

That in view of a readjustment of the financial relations of the Provinces with the Dominion being made to accord with the census returns of 1881,

This Legislature deems the present a fitting time to respectfully request the Privy Council of Canada to take steps for the immediate enlargement of the Province,

and that, in connection therewith, such terms and conditions shall be granted and made as will be just and equitable, and will enable the Executive authorities of the Province to provide for the suitable administration of its affairs and to attend to the various public needs of the community, increased, as these are, by a rapidly augmenting population.

We therefore humbly pray that Your Excellency will be pleased to take such steps as may be necessary to carry out the views of the Legislature.

Mr. Murray, from the select committee appointed to prepare and draft an Address to His Excellency the Lieutenant-Governor on the subject of the importation of cattle in bond through the United States, reported that they had prepared an Address, which was read as follows:—

To the Right Honorable Sir John Douglas Sutherland Campbell, Marquis of Lorne, Knight of the Most Ancient and Most Noble Order of the Thistle, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Governor General of Canada, and Vice-Admiral of the same :

MAY IT PLEASE YOUR EXCELLENCY :

We, Her Majesty's most dutiful and loyal subjects, the Legislative Assembly of Manitoba in Parliament assembled, humbly approach Your Excellency, for the purpose of representing—

That accordingly to the decision of the Treasury Department of the United States, the importation of neat cattle in bond through the United States from the Lower Provinces of Canada to the Province of Manitoba, either for the purposes of sale or improvement of stock, is prohibited.

And whereas such prohibition will militate greatly against the interests of Manitoba.

We therefore humbly pray that Your Excellency will be pleased to take such steps as will be necessary to remove or to modify such prohibition.

Mr. Hay, from the select committee, appointed to prepare and draft an Address to His Excellency the Governor General, on the subject of the improvement of the navigation of the Red and Assiniboine Rivers, reported that they had prepared an address, which was read as follows:—

To the Right Honorable Sir John Douglas Sutherland Campbell, Marquis of Lorne, Knight of the Most Ancient and Most Noble Order of the Thistle, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Governor General of Canada, and Vice-Admiral of the same :

MAY IT PLEASE YOUR EXCELLENCY :

We, Her Majesty's most dutiful and loyal subjects, the Legislative Assembly of Manitoba in session assembled, humbly approach Your Excellency for the purpose of representing—

That owing to the existence of boulders, sand bars and gravel beds in the channels of the Red and Assiniboine Rivers, and at the mouth of the Red River, where it flows into Lake Winnipeg, navigation is greatly obstructed, to the great detriment of the people of the Province and adjoining territory ;

That this Legislature, while not presuming to dictate, would respectfully suggest that the construction and working of a steam dredge, for the purpose of removing the above mentioned obstructions, would greatly improve navigation within the Province, and would therefore request the Privy Council of Canada to provide such means as, in their judgment, will be most conducive to the attainment of the desired object.

We therefore humbly pray that Your Excellency will be pleased to take such steps as may be necessary to carry out the views of the Legislature.

Mr. Sutherland, from the select committee appointed to prepare and draft an Address to His Excellency the Governor General, on the subject of the desirability of establishing a branch immigration agency at St. Boniface, reported that they had prepared an Address, which was read as follows:—



To the Right Honorable Sir John Douglas Sutherland Campbell, Marquis of Lorne, Knight of the Most Ancient and Most Noble Order of the Thistle, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Governor General of Canada, and Vice-Admiral of the same:

**MAY IT PLEASE YOUR EXCELLENCY :**

We, Her Majesty's most dutiful and loyal subjects, the Legislative Assembly of the Province of Manitoba in session assembled, beg leave humbly to represent and suggest to your Excellency in Council,—

That in view of the early anticipated large immigration to this Province and the North-West Territories, it is a matter of vital importance that a branch immigration office should be established at the St. Boniface terminus of the Pembina Branch of the Canadian Pacific Railway, inasmuch as regular and special immigrant trains will be arriving at all hours, the situation and distance from the Winnipeg sheds renders the necessity of a branch agency at that point, in the interests of the immigrant, who naturally seeks, immediately on his arrival, for advice and protection. Further, that during the break up of the Red River and Assiniboine ice in spring, crossing, which is only to be had in small boats or canoes, is frequently impossible or exceedingly dangerous, for from ten days to two weeks before the regular steam ferry can be placed.

We would therefore respectfully urge upon Your Excellency in Council the desirability of the Dominion Government establishing such an additional agency at the said railway terminus, for the protection of immigrants, this being, as we consider, a special service, distinct from but tributary to the operations of the general immigration agency, the time and active services of the agent at Winnipeg being fully occupied in the duties of his agency.

Mr. Smith, from the select committee appointed to prepare and draft an Address to His Excellency the Governor General, on the subject of lowering the water of Lake Manitoba, reported that they had prepared an Address, which was read as follows :—

To the Right Honorable Sir John Douglas Sutherland Campbell, Marquis of Lorne, Knight of the Most Ancient and Most Noble Order of the Thistle, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Governor General of Canada, and Vice-Admiral of the same:

**MAY IT PLEASE YOUR EXCELLENCY :**

We, Her Majesty's most dutiful and loyal subjects, the Legislative Assembly of Manitoba in Legislature assembled, humbly approach Your Excellency for the purpose of representing,—

That the Legislature of this Province fully recognizes that the great difficulty incident to the settlement of the country consists in the low and flat lands being overflowed by every heavy rain fall, to obviate which the Legislature at the present Session, has taken steps to provide for the drainage of the Province, as far as it can, under ordinary circumstances.

That the height of the water in Lake Manitoba prevents the drainage of these lands in the neighborhood of the said lake.

That the water in the said lake is gradually rising from year to year, probably from the formation of a sand bar at the mouth of Partridge Cross River, and if the present state of things are allowed to continue a vast tract of land that has hitherto been dry enough for farming purposes will be submerged by the waters of the said lake.

Your memorialists humbly pray that such examinations may be made as are necessary to discover the cause of the difficulty and to provide for the lowering of the water in the lake, or, at any rate, prevent its rising still further.

Ordered, That the foregoing Addresses be adopted, engrossed and signed by Mr. Speaker.

On motion of the Hon. Mr. Girard, seconded by the Hon. Mr. Norquay,

Resolved, That an humble Address be presented to His Excellency the Governor General, praying for aid for the St. Boniface hospital, in consideration of assistance rendered to sick and suffering from Dominion public works.

Ordered, That the foregoing resolution be referred to a select committee, composed of Messrs. LaRivière, Scott, Murray, Smith, Sutherland, and the mover and seconder, with instructions to prepare and report the Addresses in conformity therewith.

The Hon. Mr. Girard, from the select committee appointed to prepare and report an Address to His Excellency the Governor General, on the subject of the Dominion Government rendering aid to the St. Boniface hospital for Dominion purposes, reported that they had prepared an Address, which was read as follows:—

To the Right Honorable Sir John Douglas Sutherland Campbell, Marquis of Lorne, Knight of the Most Ancient and Most Noble Order of the Thistle, Knight Grand Cross of the Distinguished Order of Saint Michael and Saint George, Governor General of Canada, and Vice-Admiral of the same:

WE LAY IT PLEASE YOUR EXCELLENCY:

We, Her Majesty's most dutiful and loyal subjects, the Legislative Assembly of the Province of Manitoba in Legislature assembled, humbly approach Your Excellency for the purpose of representing,—

That it has been shown to the satisfaction of this House that for a long time past the large majority of sick persons and those disabled in the construction of the Canadian Pacific Railway, from explosions or otherwise, have been brought to the St. Boniface hospital, and have received medical attendance, medicines and care, free of charge.

That the said institution is one of the most useful, and a boon to the sick and suffering of the Province generally.

That the said institution receives no benefit whatever, except the provincial allowance, which is only intended to help towards defraying the expenses of the provincial sick there attended to.

It is therefore the opinion of this House that as a majority of the patients come from the district of Keewatin, which is outside the Province of Manitoba, that the Government be respectfully requested to grant some help to the said hospital and to the Winnipeg general hospital, in proportion to the sick people admitted and cared for in each, to enable them to continue their charitable effort.

We therefore humbly pray that Your Excellency will be pleased to take such steps as may be necessary to carry out the views of the Legislature.

The Hon. Mr. Norquay presented to the House, by command of His Excellency the Lieutenant-Governor,—

Return to an Address, praying His Excellency will cause to be laid before this House correspondence relating to the late changes in the *personnel* of the Government.

Mr. Greenway moved, seconded by Mr. Hay, and it was

Resolved, That in the opinion of this House, it is desirable that a deputation from this Legislature should proceed to Ottawa during the present Session of the Dominion Parliament, to further the matter contained in the Address passed to-day, regarding the extension of the boundaries of the Province.

On motion of the Hon. Mr. Brown, seconded by Mr. Smith,

Resolved, That an humble Address be presented to His Excellency the Governor General in Council, praying that a sum may be placed in the estimates for the bridging the mouth of Partridge Crop River, so as to lower the level of Lake Manitoba and relieve the land in the vicinity from the overflow of the said lake, and that the Hon. Messrs. Norquay, Brown, and Messrs. Smith, Cowan and Lipsett, be a committee to prepare said Address.

On motion of Mr. Hay, seconded by Mr. Ross,

Resolved, That an humble Address be presented to His Excellency the Governor General in Council, praying the Government of Canada will be pleased to place a sum in the Estimates for the improvement of the navigation of the Red River between



Winnipeg and Lake Winnipeg, and that Messieurs Norquay, Brown, Hay, Ross, Drummond and Sutherland, be a committee to prepare said Address.

On motion of the Hon. Mr. Brown, seconded by Mr. Smith,

Resolved, That an humble Address be presented to His Excellency the Governor General in Council, praying His Excellency to cause to be placed in the Estimates a sum of money to be used in deepening the channel of the Assiniboine River at St. James Rapids, with a view of not only improving the navigation, but preventing the overflow of that river, at High Bluff and Baie St. Paul, and that Hon. Messrs. Norquay, Girard, Brown, and Messrs. Drummond and Cowan, be a committee to prepare said Address.

WEDNESDAY, 22nd December, 1880, 3 o'clock p.m.

The Hon. Mr. Norquay moved, seconded by Hon. Mr. Girard,

That the House do resolve itself into a Committee of the Whole to consider certain resolutions.

The House accordingly resolved itself into the committee.

*(In the Committee.)*

Resolved, That in view of the enlargement of the Province, the Government of Canada being in possession of its Crown lands, and the increase of expenditure that will necessarily be entailed upon the Government thereof, this House is of opinion that a readjustment of the subsidy of the Province should be made on the following terms:—

1st. That the Province of Manitoba shall receive from the Government of Canada by half-yearly payment, in advance, interest at the rate of 5 per cent. per annum on a sum equal to \$32.43 per head of the population, as shall be ascertained by the census of 1881.

2nd. The sum of sixty thousand dollars shall be paid yearly by Canada to the Province of Manitoba for the support of its Government, and an annual grant in aid of the said Province shall be made, equal to eighty cents per head of the population, as shall be ascertained by the census of 1881, and such grant of eighty cents per head shall be augmented in proportion to the increase of population, as may be shown by a census to be taken triennially, and by each subsequent triennial census, until its population amounts to four hundred thousand souls, at which such grant shall remain thereafter.

3rd. That in consideration of Canada administering the public lands of the Province for the uses of the Dominion, Canada shall pay to the Province, by half-yearly payments in advance, the sum of \$100,000.

Mr. Speaker resumed the Chair, and Mr. Murray reported the resolution.

Ordered, That the report be now received, and

The resolution having been put, was agreed to.

Mr. Hay moved the following resolution, seconded by Mr. Ross:—

That an humble Address be presented to His Excellency the Governor General in Council, praying that the terms proposed with the syndicate may not be entered into inasmuch as the said terms will be found unacceptable to the people of Manitoba and the North-West Territories, more particularly with respect to part of clause 11, and clauses 14, 15 and 16.

The Hon. Mr. Norquay, seconded by the Hon. Mr. Girard, moved, in amendment the following:—

Whereas it appears from a telegram dated 18th December, 1880, addressed by the Right Hon. Sir John A. Macdonald, Premier of the Government of Canada, to Thomas Scott, M.P., for Selkirk,

That the Canadian Pacific Railway will have power to build branch lines anywhere.

And whereas it is further intended, as appears from the publication of the terms on which the Canadian Pacific Railway syndicate have agreed to construct, equip, maintain and operate the said Canada Pacific Railway, to grant to the said company the exclusive right of building and operating branch lines of railway to the international boundary between Canada and the United States.

And whereas it appears further that the said company have the right of accepting only such alternate sections of land as they may think proper, and it is deemed that the powers intended to be granted to the company would be detrimental to the best interests of the Province of Manitoba.

And while this House is of the opinion that the construction of the Canadian Pacific Railway should be entrusted to a private company, it views with alarm some of the terms of agreement between the Government and the syndicate.

Therefore be it Resolved—Whereas it appears, &c., that for the present the Canadian Pacific Railway syndicate should have given to them power to build only the main line of the Canadian Pacific Railway, and that any other line or branch line should be built by the syndicate or other company, only after their obtaining power from time to time from the Parliament of Canada to build such line or branch line, and that the main line of the Canadian Pacific Railway shall not be allowed to approach at any point within 15 miles of the international boundary line, and that Parliament should not abandon its right of authorizing the construction of railways in any direction by other companies.

That the syndicate shall not have the option of choosing and selecting their own lands, but shall be compelled to take alternate sections or townships for their land grant in aid of the construction of the railway, irrespective of the quality of the same.

And objection having been taken to the resolutions, as the terms of the syndicate were not before the House,

Mr. Speaker having been referred to, decided

That although the House is not placed in formal or official possession of the terms of the contract between the Government of Canada and the company forming the syndicate for the construction of the Canadian Pacific Railway, yet the reports so fully given in the public press, being so far confirmed by a telegram from the Right Hon. Sir John Macdonald, Premier of the Government of Canada, I am of opinion that the House should not be restricted by any technical objections for the consideration of the subject involved in the resolution, and I therefore rule it to be in order.

The original motion, with the leave of the House was withdrawn, and the amended resolution having been read a second time, was agreed to.

Pursuant to the Order of the Day, the House resolved itself into a Committee of the Whole to consider Bill (No. 2) to provide for the extension of the boundaries of the Province of Manitoba.

Mr. Speaker resumed the Chair, and Mr. Sutherland reported that the committee had directed him to report that they had made some progress, and asked leave to sit again.

Ordered, That the report be now received, and the committee have leave to sit again.

WEDNESDAY, 22nd December, 1880—Sitting at 7:30 p.m.

The following Bill was introduced and read the first time:—

Bill (No. 11) intituled, an Act to make provision for sale and settlement of certain marshy lands to be ceded by the Dominion of Canada to the Province of Manitoba.

Ordered, To be read a second time to-morrow.

The Hon. Mr. Norquay moved, seconded by the Hon. Mr. Girard, and it was

Resolved, That whereas certain expressions of opinion were made by members of this House, which it was not deemed expedient to incorporate in the clauses of the Bill providing for the extension of the limits of the Province, and whereas it is thought that an adoption of the same by this House would materially influence the Parliament of Canada in dealing with the extension of the limits of the Province, therefore be it

Resolved, That a committee, composed of the Hon. Messrs. Girard, Walker, Brown, Messrs. Ross, McMillan, LaRiviere, Cowan, Sutherland and the mover, be



appointed by this House to draft certain resolutions, to be submitted to it, which it is deemed expedient to adopt in view of the enlargement of the Province.

The House then adjourned at 10:30 p.m. until 10:00 a.m. to-morrow.

THURSDAY, 23rd December, 1880—Sitting at 10 o'clock a.m.

The Hon. Mr. Brown from the select committee appointed to prepare and draft an Address to His Excellency the Governor General, on the subject of the improvement of the navigation of the Assiniboine River, reported that they had prepared an Address, which was read as follows:—

To His Excellency, Sir John Douglas Sutherland Campbell (commonly called the Marquis of Lorne), Knight of our Most Ancient and Most Noble Order of the Thistle, Knight Grand Cross of Our Most Distinguished Order of Saint Michael and Saint George, Governor General of Canada and Vice-Admiral of the same, &c., &c.

MAY IT PLEASE YOUR EXCELLENCY:

We, Her Majesty's dutiful and loyal subjects, the Legislature of the Province of Manitoba in Parliament assembled, beg to approach Your Excellency on the subject of the navigation of the Assiniboine River, from its junction with Red River to Fort Ellice, with a view especially of deepening the channel of the river over several rapids and bars, principally in the parishes of St. James and St. Charles, and the removal of boulders which, while improving the navigation, by bringing the water in a narrower and more continuous channel, with a more regular current, but would also tend to prevent the overflow of the river of its bank in different places. The Legislature is assured that the importance of this river as a means of intercommunication and of the necessity of its improvement are thoroughly appreciated by Your Excellency, and therefore pray that a sum of money sufficient for the purpose be placed in the Estimates at the present Session, to enable the Government to perform the work of their needed improvements which are, and are still unlikely to be in the future of so much moment to this portion of the Dominion.

The Hon. Mr. Norquay, from the select committee appointed to prepare and draft certain resolutions on the subject of the extension of the boundaries of the Province, reported that they had prepared resolutions, which were read as follows:—

I. Resolved, That while this House consents to the extension of the boundaries to the limits mentioned in the Bill providing for the same, it is of opinion that the extension might be made with advantage to the Province westward as far as the 102nd Meridian of west longitude. It is led to this conclusion from a knowledge of the fact that a continuous chain of settlement already extends to the said meridian, and there are few, if any, settlers beyond that line. Also, there lies to the west of the 102nd Meridian, for some distance, a tract of country comparatively barren, and holds but few inducements to settlement. That from the 102nd Meridian westward a new system of survey commences, and the interests of those settled beyond the said limit would naturally tend westward, whereas a community of interests naturally exists among the settled portions up to that line eastwards, and the people receive all their supplies from Winnipeg and other points east.

II. Resolved, That it is desirable, in the interest of the Province generally, and more especially of those settlers who have already settled, and who are expected to settle on those portions of territory about to be incorporated in the Province of Manitoba, that no exemption from taxation should be made of lands belonging to any company. That with the limited means at the disposal of the Government it is quite impossible for any Executive to render municipal organizations such assistance as would be desirable, and the municipalities being thus left to their own resources, it is the opinion of this House that they should have the fullest opportunity of levying a rate on all lands not the property of the Crown within their respective limits, without any exception, for the purpose of raising means to prosecute works of improvement necessary to the development thereof.

III. Resolved, That it is desirable that the boundaries of the Province should be extended eastwards, to correspond with the line marked as the west boundary of

Ontario, near the 89th Meridian of west longitude. That the requirements of the prairie portions of the Province could be supplied with the timber of the eastern portion, besides which a port on Lake Superior would thereby be secured to the Province.

IV. Resolved, That this House respectfully urges upon the Government of Canada a careful consideration of the foregoing resolutions, and is of opinion that an adoption of the same would benefit the Province and contribute materially to place Manitoba in the position nature intended her to occupy.

The Hon. Mr. Brown, from the select committee appointed to prepare and draft an address to His Excellency the Governor General on the subject of the overflow of the water of Lake Manitoba, reported that they had prepared an address, which was read as follows :—

To His Excellency Sir John Douglas Sutherland Campbell (commonly called the Marquis of Lorne), Knight of Our Most Ancient and Most Noble Order of the Thistle, Knight Grand Cross of Our Most Distinguished Order of Saint Michael and Saint George, Governor General of Canada, and Vice-Admiral of the same, &c., &c.

MAY IT PLEASE YOUR EXCELLENCY :

We, Her Majesty's dutiful and loyal subjects, the Legislature of the Province of Manitoba in Parliament assembled, beg to approach Your Excellency and humble request that Your Excellency will take into consideration the vast amount of suffering and loss to very many of Her Majesty's subjects settled in the vicinity of Lake Manitoba, and of the material loss to the country, in consequence of the ever-increasing rise of the water in the said lake.

The Legislature would respectfully remind Your Excellency that your Government, on the application of the Government of the Province of Manitoba during the past year, sent an engineer to examine into the cause of this state of things, and report on the feasibility of remedying it by lowering the level of the water in the said lake and by deepening the Partridge Crop River, and now that the matter is found practicable, and that the expenditures occasioned would be more than met by the value of the land reclaimed, and that from natural causes it is probable that the water in the lake will be at its lowest point just previous to the spring freshets, on account of the rivers and streams flowing into the lake, being, to a greater or less extent, ice-bound during the winter, that therefore it appears that the early spring is the most favorable time to commence operations. The Legislature feels that no time should be lost in commencing this work, and humbly request that Your Excellency may be pleased to cause a sum sufficient for the purpose to be placed in the Estimates at the present Session of the Dominion Parliament, to enable the Government to carry into effect so desirous an undertaking.

On motion of Mr. Ross, seconded by Mr. Drummond,

Resolved, That in the resolution passed by this House, in reference to the terms of agreement between the Dominion Government and the Canadian Pacific Railway syndicate, it did not commit itself to a limitation of the objectionable terms in the clauses of said terms.

On motion of Mr. Sutherland, seconded by Mr. Ross,

Resolved, That an humble Address be presented to His Honor the Lieutenant-Governor, praying His Honor will cause to be laid before this House returns showing the amount of moneys received by the Government from the sale of law stamps.

On motion of Mr. LaRivière, seconded by Mr. Taillefer,

Resolved, That an humble address be presented to His Honor the Lieutenant-Governor, praying His Honor will cause to be laid before this House a statement of the population of this Province, as given in the several valuation rolls returned to the Hon. Provincial Secretary in accordance with clause 22 of the Municipal Act.

REPORT of the Delegates of the Committee of the Executive Council of Manitoba to Ottawa, with regard to the claims of the Province of Manitoba upon the Dominion.



*To His Honor the Hon. Joseph Cauchon, Lieutenant-Governor in Council.*

MAY IT PLEASE YOUR HONOR :

The undersigned beg to submit the following as their report:—

In accordance with a Minute of Council (A) passed 1st March, 1880, the undersigned proceeded to Ottawa on behalf of the Executive Council of the Province of Manitoba, for the purpose of consulting with the Privy Council of Canada in regard to certain matters contained in the memorandum to Council (annexed to Appendix A) affecting the future welfare of the Province.

The delegates reached Ottawa on the 11th of March, 1880, and immediately on their arrival the following letter was addressed to the Prime Minister of Canada, Right Hon. Sir John A. Macdonald :—

RUSSELL HOUSE, 12th March, 1880.

SIR,—I have the honor to inform you that a delegation from Manitoba, appointed to confer with the Privy Council on matters affecting the public interests of the Province, has arrived in the Capital of Canada, and on behalf of the delegation I would respectfully request an interview with you at your earliest convenience, when the delegation will lay before you the objects of their mission.

I have the honor to be, Sir, your obedient servant,

J. NORQUAY.

Right Hon. Sir JOHN A. MACDONALD, Premier.

To this communication the following reply was received :—

OTTAWA, 16th March, 1880.

MY DEAR SIR,—I shall be glad to see you at the Council Room to-morrow, 17th, at 2.30 p.m., with your friends.

Yours very truly,

JOHN A. MACDONALD.

Hon. JOHN NORQUAY, Premier.

At the meeting thus arranged for, the various subjects referred to in the memorandum of the Executive Council of Manitoba were discussed and explanations were given by the delegates on the different items, viz. :—

1. Erection of public buildings.
2. Withdrawal of capital.
3. Enlargement of the provincial boundaries.
4. The construction and maintenance and operation of a steam dredge to improve navigation on the rivers and lakes.
5. The examination into the cause or causes of the rise in the waters of Lake Manitoba, and the adoption of means to lower the same.
6. The establishment of a branch immigration agency at St. Boniface dépôt.
7. The allotment of lands granted to the children of half-breed heads of families, under the provisions of the Manitoba Act.
8. The settlement of claims made by certain parties to lands, as being held previous to transfer to the Dominion.
9. Securing such arrangements as will allow the importation of neat cattle from the Eastern Provinces into Manitoba through the United States in bond.
10. Aid to Winnipeg and St. Boniface hospitals.

Immediately after the above meeting with the members of the Privy Council, the delegates prepared a memorandum (B), which they submitted with the following letter :—

OTTAWA, 20th March, 1880.

SIR,—The delegates of the Province of Manitoba have the honor to enclose an extract from the Minutes of the Executive Council of the Province of Manitoba, explaining briefly the various subjects upon which they had the privilege of addressing the Privy Council of Canada, on Thursday last, and which they now beg to sup-

lement by a memorandum herewith submitted. They will also be happy to furnish any further information the Privy Council may consider necessary.

We have the honor to be, Sir, your obedient servants,

JOHN NORQUAY,  
C. P. BROWN,  
M. A. GIRARD,  
G. McMICKEN.

Hon. Sir JOHN A. MACDONALD, Premier.

On the 22nd March, 1880, the following letter was received from Sir Alexander Campbell, Minister of Militia:—

OTTAWA, 22nd March, 1880.

MY DEAR SIR,—Sir John Macdonald has enclosed to me the papers transmitted to him on Saturday, by yourself and the other delegates from the Province of Manitoba, in a memorandum addressed to the Privy Council, dated the 20th instant.

I will endeavor to have the matter in which you are interested taken up as soon as possible, but I hope the deputation will not consider it necessary to remain in town, as some time may elapse before the Privy Council is able to give the necessary attention to the matters referred to, even after the sub-committee shall have reported.

Faithfully yours,

A. CAMPBELL.

Hon. JOHN NORQUAY, Premier.

To this the following reply was sent:—

OTTAWA, 22nd March, 1880.

MY DEAR SIR,—While I cannot but thank you for the readiness with which you feel disposed to devote your attention to the matters contained in the memorandum addressed to the Privy Council by the delegates of the Province of Manitoba, I regret to learn by your note of to-day that some time may elapse before the Privy Council is able to give the necessary attention to the matter referred to therein. Before the sub-committee makes its report, I should feel very much obliged indeed if you would accord me an interview, as I wish to submit to you some data of interest, which, in the hurry of preparation, were overlooked, and are not mentioned in the memorandum.

I have the honor to be, Sir, your obedient servant,

J. NORQUAY.

Sir ALEXANDER CAMPBELL, Minister of Militia.

To this Sir Alexander Campbell replied:—

OTTAWA, 23rd March, 1880.

MY DEAR SIR,—I have your note of yesterday, and, in reply, regret to say that it is, I find, impossible to have a meeting of the sub-committee this week, owing to the intended absence from town of the members thereof. I will endeavor to have one at as early a day in the coming week as possible.

Yours faithfully,

A. CAMPBELL.

Hon. JOHN NORQUAY, Premier.

The other members of the delegation being absent from Ottawa, Hon. J. Norquay had a final interview with the Committee of Council.

A full report of the Committee of the Hon. Privy Council will be seen in Appendix C.

The whole, nevertheless, respectfully submitted,

J. NORQUAY, *Provincial Treasurer, Manitoba.*  
C. P. BROWN, *Minister of Public Works, Manitoba.*  
M. A. GIRARD, *Provincial Secretary, Manitoba.*  
G. McMICKEN, *Speaker Legislative Assembly, Manitoba.*



## APPENDIX A.

*To His Honor the Honorable Joseph Cauchon, Lieutenant-Governor of the Province of Manitoba, &c., &c., &c.*

Report of a Committee of the Executive Council on matters referred to their consideration.

Present:—

The Honorable Mr. Norquay (in the Chair).  
do Walker,  
do Brown,

MAY IT PLEASE YOUR HONOR:

The Hon. Provincial Treasurer submits to Council a memorandum, dated the twenty-eighth of February last past, containing the demands to be urged upon the Dominion Government in accordance with Addresses presented by the Legislative Assembly, as follows:—

WINNIPEG, 28th February, 1880.

*To His Honor the Lieutenant-Governor in Council:*

MAY IT PLEASE YOUR HONOR:

The undersigned has the honor to submit, for the consideration of Council, the following memorandum:—

That during the Session of the Legislature which closed on the 14th instant, an address to His Excellency the Governor General of Canada, praying for an enlargement of the Province and a readjustment of its financial position, and a resolution authorizing a delegation to proceed to Ottawa to secure the objects of the Address, were unanimously adopted by the House of Assembly.

That an Act was passed authorizing the Lieutenant-Governor in Council to withdraw from the Government of Canada the capital at the credit of the Province, of which one hundred thousand dollars was voted by the Legislature in the public Estimates to be expended in drainage and the improvement of leading highways in the Province.

That an Act to provide a system of drainage was enacted and a sum mentioned therein authorized by the Legislature to be expended in prosecuting the necessary work in connection therewith.

That in answer to the delegation from the Executive Council of the Province last year, an assurance was given officially by the Privy Council that the Parliament of Canada would be asked this year to vote a sum in the Estimates sufficient to erect plain but substantial buildings for the Legislative Assembly and a Government House for the Province, and also a Dominion lunatic asylum and hospital at or near the city of Winnipeg.

That Addresses to His Excellency the Governor General of Canada "praying for the construction, maintenance and operation of a steam dredge to improve the navigation of Lake Winnipeg and of the Red and Assiniboine Rivers;" "for an examination into the causes of the rising of the water in Lake Manitoba, and to take such steps as will tend to lower the same;" "for the establishment of a branch immigration office at St. Boniface;" "for a grant of money in aid of the St. Boniface and Winnipeg hospitals;" "for a speedy allotment of the lands granted to the children of half-breed heads of families, under the provisions of the Manitoba Act, and the settlement of claims advanced by certain parties to lands held by them at the time of the transfer in 1870," and for the making of such arrangements as will allow the importation of neat cattle from the eastern Provinces into Manitoba in bond, were also adopted by the House of Assembly.

The undersigned would therefore respectfully recommend that a delegation of the Executive Council proceed to Ottawa to press upon the Privy Council the favorable consideration of the subjects mentioned in the foregoing memorandum.

The Premier also submits to Council a letter from the Hon. Gilbert McMicken, Speaker of the Legislative Assembly, stating that he has business calling

him to Ottawa, and offering his services to the delegation in any way that they can be made available to promote the object of the same.

Council advise,

That the recommendation of the Hon. the Premier be approved.

On the recommendation of the Hon. the Attorney-General,

Council advise,

That the Hon. Messrs. Norquay, Brown and Girard form the delegation, and that the Hon. the Speaker be requested to co-operate with the delegation while in Ottawa.

All of which is respectfully submitted.

J. NORQUAY, *President and Chairman.*

EXECUTIVE COUNCIL CHAMBER, 28th February, 1880.

Copy of letter addressed by Hon. G. McMicken to Hon. J. Norquay, in accordance with which Hon. Mr. McMicken was asked to co-operate with the delegation.

WINNIPEG, 1st March, 1880.

MY DEAR MR. NORQUAY,—I find now that I shall have business calling me to Ottawa, and purpose leaving Thursday morning, should the railway be clear. As this is the case, I beg to offer my services in any way they may be available to assist in forwarding the objects of the delegation. If you consider it in this view proper to add my name to the delegation, I shall be glad to hear from you, and you may rely on my utmost efforts in all sincerity.

Yours most sincerely,

G. McMICKEN.

Hon. J. NORQUAY.

#### APPENDIX B.

MEMORANDUM of the Delegates of the Province of Manitoba appointed to confer with the Privy Council of Canada in relation to the following subjects :—

##### (1). Erection of public buildings.

A year ago the delegates from the Province of Manitoba received from the Privy Council an official assurance that Parliament would be asked this year to place a sum in the Estimates for the erection of plain but sufficient public buildings for the Legislative Assembly, and a Government House for the Province, and also a Dominion lunatic asylum and hospital in or near the town of Winnipeg.

The undersigned would therefore respectfully urge upon the Privy Council the early commencement of the public buildings. They are the more induced to do so on account of the lease of the Government House expiring during the present year, and further, the building now occupied as Government House is in a rather dilapidated condition, and entails upon the Provincial Government a much larger cost for fuel and repairs than the treasury is well able to bear.

The undersigned need not mention the fact that the Province has no building for the Legislative Assembly, the building at present used for that purpose being the court house, which often causes great embarrassment to the court, especially when important cases are being heard while the Legislature is in session.

##### (2). Withdrawal of capital.

The revenue at the disposal of the Government barely suffices, with the most rigid economy, to meet the ordinary but absolutely necessary and imperative demands pertaining to an organized community, limiting to an entire insufficiency their efforts to meet the wants of education, the proper administration of justice, the executive functions of the Government, the duties of legislation, and the maintenance of good order.

It is entirely beyond their present revenue to inaugurate any system of substantial improvement for internal communication, or to attempt affecting the necessary drainage, whereby the country may be relieved from the overflow of water caused by a succession of rainy seasons.



The Government have exhausted to the last degree every means at their disposal, but at the last Session inaugurated a municipal system, enabling the people by this means to assist the Government in carrying on such improvements as are essential to the immediate and future prosperity of the country.

That large areas in the Province of Manitoba require draining there is, unfortunately, no doubt, and that it is necessary to provide at once a system of drainage, not only for the reclamation of these marsh lands, but as well to protect the lands usually considered dry from the overflow of these marshes, there is with those familiar with the facts no difference of opinion.

The proximity of these marshes to our settlements is very disastrous; they render the air impure from the malaria arising from them, they separate the settlements, which makes it more difficult for the maintenance of churches and schools, and they frequently overflow and deluge the country for miles around, stopping the travel and destroying the crops and the stock of the industrious settlers. It is not surprising then, that many have left, and are leaving, their farms, on which they have, in many instances, expended several years of hard labor, together with thousands of dollars brought with them to the country in the first instance.

The bad state of the roads and the large proportion of wet lands in Manitoba, have been the direct means of deterring hundreds of people from settling in the country, in too many instances to go to other lands, with a very adverse report, and who then become active agents against the country in which, but for these difficulties, they would have become valuable citizens, contributing alike to its wealth and prosperity. Other cases, almost too numerous to acknowledge, exist, where the actual settler is disheartened by being compelled, year after year, to contend with these difficulties, and it is obvious that the public and private correspondence of people under such circumstances cannot possibly be of that hopeful tone as to be the means of inducing others to join them in the North-West.

The Legislature of the Province of Manitoba, at the Session just closed, by appropriating one hundred thousand dollars of the authorized withdrawn debt to the credit of the Province, has provided a portion of the funds for the prosecution of the proposed drainage works, together with the necessary legislation to establish a system of assessment on the land reclaimed, to reimburse the Government for the outlay, and also provision for the work to be proceeded with by the Government of the Province.

The question of drainage is so important to the people of Manitoba that the Government intend to proceed at once with the surveys and construction of some of the largest ditches, leaving to the municipalities the construction of the smaller and lateral drains, assisted, to some extent, by loans from the Provincial Government.

Nevertheless, they think it would be manifestly unjust to impose the whole cost of these permanent improvements on the Province, inasmuch as these marshes are generally Dominion lands.

It is therefore suggested that the Dominion Government should make these lands, or part of them, which, in their present condition are of no value, over to the Provincial Government, on condition of their being drained, or allow them to be made amenable to the same system of assessment as the lands under local jurisdiction, or provide some other means to drain them, but in no case independent from the general system proposed by the Government of Manitoba.

If provision were made by the Dominion Government for the drainage of the lands still retained and owned by them, the Government of Manitoba could, by a judicious use of a part of their authorized undrawn debt, complete the rest of the drainage of the country under the system before referred to.

There is no other branch of the public service where expenditure, made by either the Dominion or Local Government, could be so properly chargeable to the capital account as the cost of the drainage of lands of Manitoba; for while roads and railroads will wear out, bridges will be swept away and buildings wear and deteriorate, the ditches, if properly located and made in soil such as that of which Manitoba is chiefly composed, will continue to enlarge from year to year, rendering it unnecessary to make those ditches very large at the present time, and the settlement which would

promoted by the reclamation of these lands, contributing to our revenue, as prescribed by law, would, it is confidently believed, in a very short time be the means of coupling to the Province the outlay involved in the proposed expenditure.

(3.) Enlargement of the provincial boundaries.

In the year 1870 the Parliament of Canada, from a portion of the territory acquired from the Hudson Bay Company, created the Province of Manitoba, embracing an area of about eight million acres.

The circumstances of the period may be considered as a justification for the setting apart so circumscribed a territory, and investing its inhabitants with all the privileges of constitutional government, and the responsibilities incident to the administration of its own laws and those of the Dominion extended in their operation to it.

As early as the year 1874 the people of Manitoba were so impressed with the necessity of the enlargement of the Province that a delegation representing these views was sent to the Capital of the Dominion to urge upon the Privy Council the advisability of enlarging the provincial boundaries and obtaining a correspondingly increased subsidy, by which their position and circumstances might be rendered conformable to those enjoyed by the other Provinces.

The Legislature in that year also passed an Act providing for such enlargement, in such terms as should be deemed just and equitable. In the year 1875 another delegation from the Province waited upon the Privy Council, and again urged upon them the consideration of boundary extension.

In support of the theory of enlargement, the delegates would respectfully represent that it would be much to the advantage of both the Province of Manitoba and that portion of the North-West Territories it is proposed to incorporate with it, from consideration of the fact that the proposed enlarged area is not greater than can conveniently and satisfactorily be governed by one Legislature and one Executive. The new Province so enlarged would reap the benefit of increased population, and additional subsidy and representation based thereon, while the present state of municipal institutions in the North-West Territories is not such as to enable the people settling there to use to the best advantage the means at their disposal for the construction of their roads and bridges, the support of their schools, and the other requirements incident to a prosperous settlement.

Without wishing to dictate questions of Canadian policy, the undersigned think that neither could it be considered to be in the interest of Canada to establish a number of small Provinces with, at best, very imperfect means of revenue, from the area which might be included in one large Province. The tendency should be rather towards a policy of legislative union among the smaller Provinces already established, than to extend the present system under circumstances less justifiable. If this is the case, then the sooner an amalgamation is made of the territory proposed to be included in Manitoba the better for all parties concerned, for an immediate determination of the matter would prevent new interests arising prejudicial to the consummation thereof. In view of the approaching census of 1881, it is deemed that the present is a most fitting time to urge upon the Privy Council of Canada a favorable consideration of the question, that the Province so enlarged might reap the benefits to be derived from the increased population. It would also make all future financial questions between the two Governments easy of solution, for it would afford revenue sufficient for the public need of the Province in the clear and unmistakable terms which are the basis of the distribution of the subsidies accorded to the different Provinces of the Confederation.

It is also felt that the position of Manitoba, in reference to the statutory allowance of 80 cents per head of the population, real or assumed, is specially exceptional, for while the other Provinces of the Dominion yearly reap a revenue from the administration of their Crown lands, they can well afford to abide a decennial census for the avails of an increased revenue, whereas Manitoba, with a large immigration yearly has her cost of Government increased without any corresponding elasticity of revenue, but the Dominion reaps an annual return not only from the sale of Dominion lands but from the larger consumption of dutiable goods and such manufactures as are subject to Excise.



Were Manitoba thus to consider her interests solely from a provincial standpoint, she would oppose rather than encourage immigration.

In order, therefore, that a mutual benefit should accrue to both the Federal and Provincial Governments from increased population, it is deemed just by the delegates that the subsidy to Manitoba should be adjusted yearly instead of decennially, according to her increased population, to enable her to meet the additional burdens thus thrown upon her. The delegates would therefore respectfully represent that the boundaries of Manitoba be extended as follows :—

Commencing at the south-west angle of the present boundary of Manitoba on the boundary line between Canada and the United States of America, thence west along the same to the 105th Meridian, thence north along the said meridian until it intersects the 54th parallel of north latitude, thence east on the said parallel until it intersects the 99th Meridian of west longitude, thence south to Lake Winnipeg, thence following the centre of the lake southerly, until it intersects the present northern boundary of Manitoba.

That the Province of Manitoba as enlarged be paid yearly the sum of \$60,000 for the support of the Government and Legislature.

That an annual grant equal to 80 cents per head on a population of 100,000, be provided for the same, to be augmented in proportion to the increase of the population, as may be shown from year to year, and that the Province be allowed a debt capital at \$32.43 per head on the said assumed population of 100,000 souls. The interest on the amount, less the portion thereof withdrawn, to be paid, as heretofore, half yearly in advance.

Without intending invidious comparison, the delegates submit that when Prince Edward Island was admitted into the Dominion, at a period subsequent to the creation of Manitoba, she was allowed as a basis for establishing her debt capital \$50 per head on her actual population, and in consideration of having no Crown lands, a special allowance was made to her of \$45,000 a year, whilst for Manitoba, even at a subsequent adjustment, the basis of calculation was only \$32.43 per head.

The delegates would also refer to the importance of an early and favorable decision in regard to the following subjects, the particulars and objects of which are fully set forth in the respective Addresses of the Legislative Assembly passed during the last Session thereof, viz. :—

1st. The construction and maintenance and operation of a steam dredge, to improve navigation on the rivers and lakes.

2nd. The examination into the cause or causes of the rise in the waters of Lake Manitoba, and the adoption of means to lower the same.

3rd. The establishment of a branch immigration agency at St. Boniface dépôt.

4th. The allotment of lands granted to the children of half-breed heads of families, under the provisions of the Manitoba Act.

5th. The settlement of claims made by certain parties to lands, as being held previous to transfer to the Dominion.

6th. Securing such arrangements as will allow the importation of neat cattle from the Eastern Provinces into Manitoba through the United States in bond.

7th. Aid to Winnipeg and St. Boniface hospitals.

All of which is most respectfully submitted.

OTTAWA, 20th March, 1880.

#### APPENDIX C.

*Copy of a Report of a Committee of the Honorable the Privy Council, approved by His Excellency the Governor General in Council on the 8th April, 1880.*

The Committee have had under consideration a report submitted by the sub-committee of Council, to whom was referred the memorandum, dated 20th March, 1880, of the delegates of the Province of Manitoba, appointed to confer with the Privy Council of Canada in relation to the following subjects :—

1. Erection of public buildings.

2. Withdrawal of capital.
  3. Enlargement of the provincial boundaries.
  4. The construction and maintenance and operation of a steam dredge, to improve navigation in the rivers and lakes.
  5. The examination into the cause or causes of the rise in the waters of Lake Manitoba, and the adoption of means to lower the same.
  6. The establishment of a branch immigration agency at St. Boniface dépôt.
  7. The allotment of lands granted to the children of half-breed heads of families under the provisions of the Manitoba Act.
  8. The settlement of claims made by certain parties to lands, as being held previous to transfer to the Dominion.
  9. Securing such arrangements as will allow the importation of neat cattle from the Eastern Provinces into Manitoba through the United States in bond.
  10. Aid to the Winnipeg and St. Boniface hospitals.
- The Committee concur in the report of the sub-committee, and submit the same for Your Excellency's approval.

Certified.

J. O. COTÉ, *Clerk Privy Council.*

on. the Secretary of State.

The undersigned, to whom was referred the memorandum of the delegates of the Province of Manitoba, beg to report as follows :—

1. The immediate preparation of plans and estimates, and the early commencement of the public buildings referred to, should be enjoined upon the Minister of Public Works.

2. The withdrawal of capital.

The undersigned recommend, for the reasons stated in the memorandum of the delegates, that the Province of Manitoba be allowed to withdraw one hundred thousand dollars of the capital authorized for it under the terms of the Union with the Dominion, such withdrawn capital to be applied, as suggested by the delegates, "to provide at once for a system of drainage for the reclamation of marsh lands and to protect lands (usually considered dry) from the overflow of marshes," the plan and system of drainage to be approved of by the Dominion Government.

And as regards lands belonging to the Dominion, now submerged, and which may be drained by the system contemplated by the Province of Manitoba, the undersigned recommend that in all cases where the Minister of the Interior is satisfied that a township of land in Manitoba, belonging to the Dominion Government, is useless, by reason of the lands being submerged, but which, if drained, would form agricultural lands, he shall certify the same to the Government of Manitoba, and that such township is thereupon included in a system of drainage approved of by the Dominion Government, and is, in consequence, rendered available for sale, the Dominion Government should make a free grant to the Province of Manitoba of the even-numbered sections of Dominion land within the township in question, with the exception of those even-numbered sections that are Hudson Bay or school lands.

3. Enlargement of the provincial boundaries.

This question is, with the consent of the delegates from Manitoba, postponed for consideration during the recess.

4. It will probably become expedient to employ a steam dredge on the rivers and lakes of the Province, and the Minister of Public Works should be instructed to make enquiry as to the best course to be pursued in this respect. The rapid construction of railway communication may possibly render the employment of a dredge less urgent than it otherwise would be, but the sub-committee recommend that the delegates be informed that the Minister of Public Works will enquire into this subject, and that the Government of Manitoba will be communicated with thereupon.

5. The subject of the rise in the waters of Lake Manitoba, and the adoption of measures to prevent the drowning of lands thereby, should be referred to engineers for examination and report.



6. The construction now going on of a railway bridge across the Red River renders, in the opinion of the undersigned, the establishment of a branch immigration agency at St. Boniface unnecessary.

7. The allotment of lands granted to the children of half-breed heads of families under the provisions of the Manitoba Act, was completed in February last. The Government of Manitoba was probably not aware of this when the memorandum of the delegates was prepared.

8. The claims referred to are those of parties who held lands in Manitoba previous to the transfer of that Province to the Dominion, and are known as "stake claims," being lands held in nominal possession, only verified by the driving of stake at the angles, as the sub-committee understand, according to a custom subsisting in the Red River settlement (now Manitoba) anterior to the Union.

This custom, although tolerated in the Red River settlement, was used with reference to hay and other outlying lands, and upon the question being submitted to the Minister of Justice, that officer was of opinion that the claims were illegal and could not be recognized, the facts not constituting occupation in the meaning of the Manitoba Act.

9. Arrangements have been made to allow the importation of neat cattle from the Eastern Provinces into Manitoba through the United States.

10. The sub-committee recommend that any aid to local hospitals at Winnipeg or St. Boniface should be in the shape of a payment for patients who come from without the Province, and this payment, they recommend, should be at the rate of sixty cents per day for each patient coming from without the Province to the hospital at Winnipeg or that at St. Boniface. In either case the fact of the patient being from without the Province to be in the first place certified to by the chief agent of the Immigration Department at Winnipeg.

The whole respectfully submitted.

A. CAMPBELL, *Chairman.*

J. H. POPE.

G. BABY.

PRIVY COUNCIL, 8th April, 1880.

During the recess, in accordance with the understanding arrived at between the Privy Council and the delegates from the Province, the enlargement of the boundaries was again urged upon the Government of Canada by the Hon. John Norquay who pointed out the desirability of dealing with the extension as set forth in the memorandum presented by the delegates.

After several interviews the Government consented to the extension westward so far as the 101st meridian, northward to the 53rd parallel, and eastward to the eastern boundary of the Territory of Keewatin.

An assurance was also obtained that the subject would be dealt with at the approaching Session of Parliament. Acting upon this understanding, the Legislature of the Province was convened earlier than usual, for the purpose of obtaining the consent thereof to the proposed enlargement on the conditions upon which the Government of Canada were willing to submit the same to Parliament for ratification.

REPORT of the Delegates appointed to confer with the Privy Council of Canada in reference to the subjects mentioned in the Memorandum submitted to Council by Hon. John Norquay, on 5th January, 1881.

*To His Honor the Hon. Joseph Cauchon, Lieutenant-Governor in Council.*

MAY IT PLEASE YOUR HONOR:

The undersigned beg to submit the following as their report:—

In accordance with the following Minute of Council, the undersigned proceeded to Ottawa, and arrived in that city on the 10th January, 1881.

COPY of a Report of a Committee of the Executive Council approved by His Honor the Lieutenant-Governor in Council on the 5th January, 1881.

"On the recommendation of the Hon. the Attorney-General,  
 "Committee advise that the Hon. the Provincial Treasurer and the Hon. the Provincial Secretary be requested to proceed forthwith to Ottawa, to urge upon the Privy Council a favorable consideration of the subjects mentioned in the memorandum submitted by the Hon. the Provincial Treasurer, hereto annexed.

Certified.

RICE M. HOWARD, *C.E.C.*

MEMORANDUM SUBMITTED TO COUNCIL, 5TH JANUARY, 1881.

*To His Honor the Lieutenant-Governor in Council.\**

MAY IT PLEASE YOUR HONOR:

The undersigned has the honor to submit for the consideration of Council the following:—

That by 39 Vic., chap. 3, of the statutes of Canada, provision was made for the payment of a temporary grant of \$26,746.96 to the Province of Manitoba, such grant to cease on the 31st December, 1881; and also by 41 Vic., chap. 13, of the Statutes of Canada, an advance of certain sums to the Province of Manitoba was authorized in aid of the public schools therein, such advance to cease on the 30th June, 1881; also by 42 Vic., chap. 2, of the statutes of Canada, provision was made for the payment of an additional temporary grant of \$15,653.04 to the Province of Manitoba, which ceases on the 31st December, 1881.

That in view of the enlargement of the Province new judicial districts will of necessity have to be established, and provision made for the administration of justice in those portions of territory to be added to the Province, and from the increase of business in the courts the energies of our present judges are already taxed to their fullest extent.

It is therefore unreasonable to expect that they can overtake the additional work that will be necessitated by the establishment of the new judicial districts referred to.

That as legislation for the enlargement of the Province of Manitoba is to be enacted by the Parliament of Canada during its present Session, the undersigned would respectfully recommend, in view of the expiration of the Acts hereinbefore recited, providing for temporary grants, and the authorization of an advance to the Province of Manitoba, that a Committee of Council be instructed to proceed to Ottawa to urge upon the Privy Council such a readjustment of the subsidy of the Province as will enable the Provincial Government to discharge their additional responsibilities and meet the increased requirements of the public service in their enlarged sphere of duty, and also to urge upon the Privy Council the necessity of making such addition to our judiciary as will secure the proper administration of law in those portions of territory to be added to the Province.

The whole, nevertheless, respectfully submitted.

J. NORQUAY, *Provincial Treasurer.*

The undersigned, believing that material assistance could be rendered the delegation by the co-operation of Judge Miller, who was then on a visit to St. Catharines, Ont., requested him to come to Ottawa, in order that they might avail themselves of his knowledge in reference to the requirements of the Province for such additions to the judiciary as would be rendered inevitable under the increased jurisdiction of the Province as enlarged.

On the 11th January Hon. Mr. Norquay had an informal interview with the Right Hon. Sir John A. Macdonald, when he was requested to defer submitting the object of his mission until such time as the Government would have got through the debate on the Pacific Railway resolutions, which engrossed all their attention.

On Wednesday, the 12th, Hon. Mr. Norquay, accompanied by Judge Miller and J. S. Aikens, M.P.P. for Rockwood, interviewed Sir Alexander Campbell, and urged upon him the extension of the Manitoba boundary westward as far as the 102nd Meridian.



Sir Alexander Campbell replied that he would submit the matter to the consideration of his colleagues.

On Thursday, the 13th January, 1881, Hon. Mr. Norquay and Judge Miller waited upon the Minister of Justice and explained fully to him the inadequacy of the present staff of judges to overtake the work that would be thrown upon them by the enlargement of the boundaries.

The Hon. the Minister of Justice requested that a memorandum be prepared, showing all the facts connected with the cases; and promised, on the receipt thereof, to give the matter his careful consideration.

Accordingly the following memorandum was submitted :—

*The Hon. James Macdonald, Minister of Justice, Ottawa.*

DEAR SIR,—Referring to our conversation of Thursday last as to judicial matters in connection with Manitoba and the extension of its boundaries, we would call your attention, in the first place, to the distances of the present settlements from Winnipeg :

Shell River,	237 miles.
Shoal Lake, or	} 195 do
Bird Tail Creek,	
Minnedosa,	150 do
Rapid City,	150 do
Riding Mountain,	175 do
Oak Lake,	165 do
Milford,	145 do
Turtle Mountain,	155 do
Souris,	185 do

and Gladstone (Westbourne), which is at present within the now Province, 100 miles, but it is proposed to recommend the Local Legislature to add this to what should be constituted a sa western judicial district, to be composed of the municipalities of Tilley, Westbourne and Mountain, and all the territory west to the western boundary of Manitoba—Norfolk to remain attached to Portage.

It would be impossible for the present judges to discharge the duties now imposed upon them and to hold courts in the western districts—they could not have the time to do so, and we have no doubt that it would be more economical to appoint a county court judge for the western district, who should be resident in the municipality of Minnedosa, and who could, in addition to holding the county courts, have same powers as to speedy criminal trials as the county court judges in Ontario.

The courts to be held would be :

Milford—Quarterly, for Oak Lake, Souris, Turtle Mountain and Milford.

Birtle—Semi-annually for one or two years, or until the business may require it to be held more frequently, for Shell River, Bird Tail Creek and Shoal Lake.

Odana or Minnedosa—Quarterly, for Riding Mountain and Minnedosa.

Gladstone—Quarterly.

Rapid City—Quarterly.

This would establish four more county courts.

It will be necessary to at once make provision for the holding of assize courts at Odana or Minnedosa, and so soon as a court house and gaol are constructed one of the Queen's Bench judges will have to attend twice a year, and circuit allowance made.

The central and eastern divisions could be attended to, with the exception of speedy criminal trials, at Portage la Prairie. As you no doubt are aware, the Portage has been set apart as a separate judicial division, and a court house and gaol has been erected, and a proclamation must shortly be made under the local Act, and thereafter assizes must be held twice a year, and all prisoners committed for trial will have to be brought before a judge for election to be tried before a judge or jury.

It would be very expensive to have one of the Queen's Bench judges proceed to the Portage upon the committal of every prisoner, and about two-thirds as expensive for the sheriff and constables to bring prisoners to Winnipeg for election, and this if the prisoner elected to be tried to return him to the Portage, and for a judge to go there and try him.

As a remedy for this we would recommend the appointment of some competent person as a stipendiary magistrate for the Portage, with powers to try all criminal cases that a county court judge in Ontario can try without a jury, or a police magistrate can try it if a prisoner elects to be summarily tried.

The Queen's Bench judges could hold, say, four or six county courts a year, and the two assizes would give prisoners who would not elect to be tried summarily six or eight opportunities to be tried before a judge of the Court of Queen's Bench, two or three opportunities could be before a jury if desired.

A court could be established at Rat Portage, and four courts could be held there annually—this we think would suffice for the eastern district.

The question of salaries and circuit allowances rests solely with the Dominion Government, and, if convenient, one of us (Miller, J.) would like to have an interview with you in reference to salaries and allowances.

We enclose a sketch showing settlements, &c., which may be of service in considering this.

We have the honor to be, Sir, your obedient servants,

J. NORQUAY.

J. MILLER.

On Saturday, the 22nd January, by special appointment, Hon. J. Norquay and Judge Miller were requested to meet Right Hon. Sir John Macdonald to discuss the situation of Manitoba as far as regards the required addition to the bench when the province would be enlarged. On a suggestion from Judge Miller to the effect that it would be necessary to appoint one stipendiary magistrate and one county judge for the western and southern districts, Sir John Macdonald said that he would prefer appointing two county judges, and suggested that a judge appointed for any judicial division should have jurisdiction not only in the county for which he is appointed, but also over others which might be grouped together, and in the first instance for the large judicial district, for the purpose of economy. That legislation with that in view should be enacted by the Manitoba Legislature.

On Friday, the 28th January, the delegates forwarded the following letter to Right Hon. Sir John A. Macdonald, in order to arrange for an interview at which the various subjects connected with delegation might be discussed.

OTTAWA, 27th January, 1881.

SIR,—Knowing that your time has been so much occupied since our arrival in the city on business connected with the welfare of Manitoba, we have refrained from writing before you the object of our mission. We would now, however, request that we may be granted an interview at as early a date as possible, in order to explain to you the various matters which we desire to place before you in connection with our mission. We will then be prepared to present to you a memorandum to explain the various subjects upon which we desire to memorialize your Government.

We have the honor to be, Sir, your obedient servants,

J. NORQUAY, *Provincial Treasurer.*

M. A. GIRARD, *Provincial Secretary.*

Right Hon. Sir John A. MACDONALD, Premier.

On the 3rd February Hon. Mr. Norquay had an interview with Sir John A. Macdonald, who stated that the Government of Canada were prepared to accede so far to the wishes of the Manitoba Legislature as to extend the boundary to the eastern limit of the 29th range of townships west of the 1st Meridian, and as the bill only provided for either the 101st or 102nd Meridian, a Bill would have to be



enacted by the Manitoba Legislature consenting to the extension of the Province westward as far as the range indicated.

In the course of conversation, Sir John A. Macdonald also admitted that the Dominion would have to do more for Manitoba in the future than it had done in the past, in the way of subsidy. Mr. Norquay suggested that Manitoba should be put in possession of the public lands to be administered by the Province for the purpose of local revenue, and expressed a willingness on the part of the Province to take over from the Dominion the Dominion Lands Office in Winnipeg at cost.

Sir John A. Macdonald desired that a memorandum should be submitted, setting forth the claims of the Province.

On the 4th February Hon. John Norquay addressed the following note to Sir John A. Macdonald:—

OTTAWA, 4th February, 1881.

MY DEAR SIR JOHN,—I would like very much if you would give me an interview of half an hour some time to-day, before the memorandum of the delegates is submitted.

Yours truly,  
JOHN NORQUAY.

To which the following was received:—

OTTAWA, 4th February, 1881.

MY DEAR PREMIER,—Sir John instructs me to say, in reply to your note, that he will see you this afternoon or this evening at room No. 4, House of Commons.

Yours in haste,  
FRED. WHITE.

Hon. J. NORQUAY.

On the 31st January, 1881, Hon. J. Norquay addressed the following letter to Hon. H. L. Langevin, Minister of Public Works:—

OTTAWA, 31st January, 1881.

SIR,—Would you kindly meet Hon. Mr. Girard and myself, and say at what time it would be convenient to do so, as we would wish to consult you in reference to the Manitoba public buildings.

I remain, very respectfully yours,  
J. NORQUAY.

Hon. H. L. LANGEVIN, Minister of Public Works.

To which the following reply was received:—

MY DEAR MR. NORQUAY,—To-morrow morning at 12:30, if you please.

Yours truly,  
H. L. LANGEVIN.

31st January, 1881.

In the meantime Hon. Mr. Norquay interviewed Sir Alexander Campbell on the subject of the extension of the boundaries, but found that owing to press of business connected with the Canadian Pacific Railway contract, the subject had not been taken up yet by the members of the Dominion Government.

Hon. Mr. Norquay then went to the office of the chief architect, to make enquiries regarding the progress of the public buildings, and was shown plans, which the chief architect said, if acted upon, the buildings could be completed for the amount that Parliament would be asked to appropriate for the purpose, and that everything was ready for the work to be proceeded with immediately the Minister gave instructions to invite tenders.

According to arrangements, Hon. Messrs. Norquay and Girard had an interview with Hon. Mr. Langevin, and represented to him the necessity for commencing work on the public buildings of Manitoba as early as possible, and urged as a reason that the excavation for the basement could be proceeded with more economically and

ore expeditiously while the frost was in the ground than it could be done afterwards. The Minister took note of the suggestions and promised that no unnecessary delay should take place, but that tenders would be invited for the performance of the work, so that the frost of this season could be taken advantage of for the excavation.

On the 4th February Mr. Alex. Begg, acting under instructions from Hon. Mr. Norquay, addressed the following letter to Z. A. Lash, Esq., Deputy Minister of Justice:—

OTTAWA, 4th February, 1881.

SIR,—I have the honor to enclose the accounts of the Government of Manitoba for trials and rations of Keewatin prisoners. I have endeavored to follow out the details on the basis of the last settlement which took place between the respective governments in regard to such charges. Will you kindly look over these accounts at your earliest convenience, as it is possible I may have to leave Ottawa in a day or two, and I would like to have a settlement on behalf of the Manitoba Government before I go. I will be happy at any time to give you any explanation you may require.

I have the honor to be, Sir, your obedient servant,

ALEX. BEGG, *Deputy Treasurer, Manitoba.*

A. LASH, Esq., Deputy Minister of Justice, Ottawa.

REGINA VS. JAMES CREIGHTON.

Clerk of Crown, one day.....	\$ 7 00
Assistant.....	2 50
Stationery.....	1 00
Sheriff's fees.....	7 00
Lighting and heating courthouse.....	2 00
Reading evidence.....	5 00
Brief.....	5 00
Indictment.....	10 00
Fee on trial.....	25 00
Constables.....	6 00
Rations in gaol, 9 days.....	4 50

\$75 00

REGINA VS. ALEX. LITTLE.

Clerk of Crown.....	\$ 7 00
Assistant.....	2 50
Stationery.....	1 00
Sheriff's fees.....	7 00
Lighting &c., court house.....	2 00
Reading evidence.....	5 00
Brief.....	5 00
Subpoena.....	1 00
Copy.....	0 50
Constables.....	7 00
Indictment.....	10 00
Fee on trial....	25 00
Witness fees.....	1 00
Rations in gaol, 10 days.....	5 00

\$79 00

REGINA VS. FRANK WALKER.

Clerk of Crown.....	\$ 7 00
Assistant clerk.....	2 50
Stationery.....	1 00
Sheriff's fees.....	7 00
Lighting and heating court house.....	2 00



Reading evidence.....	5 00
Brief.....	5 00
Witnesses.....	54 00
Indictment.....	10 00
Fee on trial.....	20 00
Motion for judgment.....	10 00
Constables.....	6 00
Rations in gaol, 188 days.....	94 00

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\$223 50

*Trial and Sentence, Second Offence.*

Clerk of Crown.....	\$ 7 00
Assistant.....	2 50
Stationery.....	1 00
Sheriff's fees.....	7 00
Lighting and heating court house.....	2 00
Reading evidence.....	5 00
Brief.....	5 00
Witnesses.....	50 00
Indictment.....	10 00
Fee on trial.....	20 00
Motion for judgment.....	5 00
Constables.....	6 00
Rations in gaol, 182 days.....	91 00

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\$211 50

RATIONS OF KEEWATIN PRISONERS IN PROVINCIAL GAOL.

Fred. Champagne.....	207 days.
Frank Bragan.....	78
Joseph Delage.....	41
Peter Keagh.....	182
Wm. Adams.....	6
George Glover.....	179
Robert Sardon.....	92
Ben. Moroesette.....	187
N. Peter Columbus.....	26
Wm. E. Duron.....	167
Patrick Murphy.....	223
Michael Farrell.....	16
Mary Ann Garighty.....	83
Felix McLaughlin.....	111
John Russell.....	84
Wm. M. Ross.....	2
Wm. M. Rutledge.....	2
T. Boskerwell.....	2

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1,688

1,688 days, at 50 cents per day..... \$ 844 00

RECAPITULATION.

Regina vs. Jas. Creighton.....	\$ 75 00
do Alex Little.....	79 00
do Frank Walker.....	223 50
do do.....	223 50
Rations of prisoners.....	844 00

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\$1,433 00

On the 7th February Hon. John Norquay addressed the following to Sir John Macdonald :—

OTTAWA, 7th February, 1881.

MY DEAR SIR JOHN,—Understanding that a committee of Council has been appointed to confer with the Manitoba delegates on the subject of enlargement of the boundaries and re-adjustment of the subsidy of the Province, I would respectfully request that an interview be granted the delegates at the earliest convenience of the committee,

I remain, Sir, your obedient servant,

J. NORQUAY.

Right Hon. Sir JOHN A. MACDONALD, Premier.

To which the following reply was received from Sir Alexander Campbell :—

OTTAWA, 9th February.

DEAR MR. NORQUAY,—Sir John Macdonald and the rest of the sub-committee will be glad to see you at the ante-room of the Privy Council on Saturday morning at 10.30, to hear your statement regarding the proposed enlargement of the boundaries of your Province.

Yours very faithfully,

A. CAMPBELL.

Hon. JOHN NORQUAY.

OTTAWA, 12th February, 1881.

SIR,—I have the honor to enclose you herewith a memorandum of the committee of the Executive Council of the Province of Manitoba, appointed to confer with the Privy Council of Canada in reference to matters contained therein, and trust that they may receive an early and favorable consideration.

I have the honor to be your obedient servant,

J. NORQUAY, *Provincial Treasurer.*

Sir A. CAMPBELL, Postmaster-General, Ottawa.

MEMORANDUM of the Delegates appointed to confer with the Privy Council of Canada in reference to matters connected with the enlargement of the boundaries of Manitoba and an increase to the subsidy.

In urging upon the Privy Council a reconsideration of the subsidy allowed by Canada to the Province of Manitoba, the Delegates would respectfully submit the following :—

In 1870, when Manitoba was created a Province of the Dominion and invested with all the responsibilities incident to constitutional government, she was allowed a subsidy of \$67,204.50, made up in the following manner :—

Specific grant for support of government and legislation	\$30,000 00
80 cents per head on an assumed population of 17,000 souls.....	13,600 00
5 per cent interest on a debt capital of \$472,090, which represented a debt of \$27.77 on the above population, being the basis on which the debts of the other Provinces were assumed by the Dominion on their entering Confederation.....	23,604 50

Total..... \$67,240 50

By 36 Vic., chap. 30, old Canada was relieved of a debt of \$10,506,089.84, and in order to equalize the debts of the other Provinces they were allowed a certain increase to their capital debt, by which the following proportions were made to them:



Nova Scotia.....	\$1,344,780 00
New Brunswick.....	1,176,680 00
British Columbia.....	280,084 00
Manitoba .....	79,457 00

which increased the subsidy of Manitoba to \$71,172.26, but it was early found that even with the additional allowance the revenue of the Province was insufficient to meet the necessary expenditure, and year after year the legislative appropriations were exceeded to such an extent that in 1875 a sum of \$158,386.11 had been withdrawn from the capital at the credit of the Province, thus reducing our revenue by the interest at 5 per cent. on that sum, amounting to \$7,919.31, and leaving the available subsidy at \$63,253.04.

Repeated representations had been made to the Privy Council, showing the total inadequacy of the available revenue to meet current expenditure, there being left to the Province no source of local revenue, such as was enjoyed by other Provinces of the Dominion, and to such an extent was this principle admitted that the Privy Council of Canada obtained the sanction of Parliament, by 39 Vic., chap. 3, to authorize a temporary grant of \$26,746.96 to Manitoba, until the 31st December, 1881, thus increasing our subsidy to \$90,000.

The temporary relief thus obtained was not found sufficient to enable the Government of the Province to assist education to the extent that was expected of them, owing to the increased demands of that service caused by rapid settlement, and arrangement was made between the Province and the Government of Canada by which, under 41 Vic., chap. 13, an advance was authorized in aid of the public schools in Manitoba of \$10,000 per annum, for three years ending the 30th June, 1881, which sum, with 5 per cent. interest, is to be charged against the first sales of school lands set apart for educational purposes.

Notwithstanding the relief thus afforded from time to time, it was found utterly impossible to inaugurate any system of public improvements, as the revenue, with the most rigid economy, was still inadequate to meet the ordinary current expenses of Government, and this state of affairs was largely brought about by the rapid increase of settlement and the corresponding requirements incident thereto.

A representation of these facts was so appreciated that an additional temporary grant was made to the Province, under 42 Vic., chap. 2, of \$15,653.04, which expires on the 31st of December, 1881, and which brought the annual subsidy up to \$105,653.04.

Legislative provision had been made, as early as the year 1873, for municipal organization, but the difficulties of pioneering were found to be so great that only a few localities availed themselves of the opportunity to organize—the sparsely settled districts being unwilling to assume responsibilities which they wished deferred until they could be comfortably settled in the country. The Provincial Government, appreciating these facts, took on themselves the responsibility of providing such assistance out of the slender means at their disposal as would, supplemented by statute labor, meet the most urgent requirements in the way of improvement of highways.

The responsibility thus assumed entailed upon the Government of the Province an expenditure of \$120,422.51, and in the erection of public buildings, such as gaol, court house and Government offices, a sum amounting to \$68,880.46, in all \$169,302.97.

Notwithstanding that the subsidy of the Province was increased from \$90,000.00 to \$105,653.04, in 1879, it was found that the expenditure of that year amounted to \$150,559.78. Of this only \$12,339.00 was realized from the local revenue, the balance being the advance on school lands and an advance made by the Merchants Bank to the Province. It will thus be seen that, even with the Province in its present state, it is quite impossible to meet the necessary expenses of the Government, which must be largely increased when the enlargement thereof takes place. A large portion of the immigration of the last three years having settled beyond the present boundary in that portion of territory to be added to Manitoba, will immediately claim the attention of the provincial authorities, not only to see that law is administered, but

that the usual assistance rendered to new settlers, in the way of improving the highways and assisting to maintain schools, be also extended to them.

In addition to this, the prosecution of works on the Canadian Pacific Railway, where large numbers of a class of men, not too law-abiding, are employed, will also help to swell the expense of the Province in the administration of justice.

Besides the ordinary expenses of administration of justice, it will be necessary to provide suitable places for the confinement of prisoners in different parts of the Province, as well as accommodation for the holding of courts, where the same may be deemed necessary.

The Province is also without a lunatic asylum, although an assurance was given, in 1879, that Parliament would be asked for a sum the ensuing Session to erect a building for that purpose. The charge for the maintenance of these unfortunates is becoming a very serious item in the provincial expenditure, and there is no hope of a diminution of the same, while there is no proper accommodation for the patients nor an efficient staff of attendants, which would, in order to prove successful, require to have such an institution entirely under their own supervision and control.

Provision will also have to be made to give representation in the Provincial Legislature to those districts to be added to the Province of Manitoba, which must of necessity increase the expense of legislation.

The additional duties that will be imposed upon the various Departments will necessitate the employment of a large staff of officials and, in consequence, entail an expenditure upon the Province.

The delegates would respectfully submit the following as a basis on which a financial re adjustment would be acceptable to the people of the Province:—

1st. That the Province of Manitoba shall receive from the Government of Canada, by half-yearly payment, in advance, interest at the rate of 5 per cent. per annum on a sum equal to \$32.43, the present rate *per capita* of the debt assumed by the Dominion of the other Provinces, except in Prince Edward Island, where it is \$50 per head on the population, as shall be ascertained by the census of 1881.

2nd. The sum of sixty thousand dollars shall be paid yearly by Canada to the Province of Manitoba for the support of its Government, and an annual grant in aid of the said Province shall be made, equal to 80 cents per head of the population, as shall be ascertained by the census of 1881. And such grant of 80 cents per head shall be augmented in proportion to the increase of population, as may be shown by a census to be taken triennially, and by each subsequent triennial census, until its population amounts to four hundred thousand souls, at which such grant shall remain thereafter.

3rd. That in consideration of the lands within Manitoba appropriated by the Dominion for the building of the Canadian Pacific Railway, Canada shall pay to the Province, by half-yearly payments, in advance, the sum of \$100,000. As soon as the lands required for the Canadian Pacific shall be set apart, the residue of ungranted land shall be handed over to the Province for the purpose of local revenue, and any sale of lands within the boundaries of Manitoba, other than those required for railway purposes, shall be credited to the Province, after deducting any expenses in connection therewith.

The delegates would further represent that the feeling of the Province of Manitoba for an extension westward as far as the 102nd Meridian is so general that the Legislature adopted, at its adjourned Session, the following resolutions as an expression of its opinion on the subject:

1st. That while the House consents to extension of the boundaries to the limits mentioned in the Bill providing for the same, it is of opinion that the extension might be made with advantage to the Province westward as far as the 102nd Meridian of west longitude. It is led to this conclusion from a knowledge of the fact that a continuous chain of settlement already extends to the said meridian, and there are few, if any, settlers beyond that line; also there lies to the west of the 102nd Meridian for some distance a tract of country comparatively barren, and holds but few inducements to settlement. That from the 102nd Meridian westward a new



system of survey commences, and the interests of those settled beyond the said limits would naturally tend westward, whereas a community of interest naturally exists among the settled portions up to that line eastward, and people receive all their supplies from Winnipeg and other points east.

2nd. That it is desirable, in the interests of the Province generally, and more especially of those settlers who have already settled and are expected to settle on those portions of the territory about to be incorporated in the Province of Manitoba, that no exemption from taxation should be made of lands belonging to any company. That with the limited means at the disposal of the Government, it is quite impossible for any Executive to render any municipal organization such assistance as would be desirable, and the municipalities thus being left to their own resources, it is the opinion of the House that they should have the fullest opportunity of levying a rate on all lands, not the property of the Crown, within their respective limits, without any exception, for the purpose of raising means to prosecute works of improvement necessary to the development thereof.

3rd. That it is desirable that the boundaries of the Province should be extended eastward to correspond with the line marked as the west boundary of Ontario, near the 89th Meridian of west longitude; that the requirements of the prairie portions of the Province could be supplied with the timber of the eastern portion, besides which a port on Lake Superior would thereby be secured to the Province.

4th. That this House respectfully urges upon the Government of Canada a careful consideration of the foregoing resolutions, and it is of opinion that an adoption of the same would benefit the Province and contribute materially to place Manitoba in the position nature intended her to occupy.

All of which is most respectfully submitted.

J. NORQUAY, *Provincial Treasurer.*

M. A. GIRARD, *Provincial Secretary.*

OTTAWA, 12th February, 1881.

On the morning of the 12th, according to a pre-arrangement, Hon. Messrs. Norquay and Girard, and Hon. Mr. McDougall, met a committee of the Privy Council, composed of Hon. Messrs. Campbell, Langevin and Pope, when Mr. Norquay explained the necessity for an increased subsidy which would arise from increased jurisdiction, and also explained how Manitoba's subsidy, even under present limits, was much too small, the estimate of public expenditure last year, outside of drainage, amounting to \$153,000; stating, also, that a carefully prepared estimate of ordinary current expenses for the year, under the prospective enlargement, would amount to \$288,000, without including the sums necessary for the building of gaols and asylums, and the prosecution of drainage. Mr. Norquay further explained that the territory to be added should have representations in the Commons and Senate, without disturbing the present electoral districts in Manitoba proper.

Mr. Norquay also fully explained the desire expressed by the Manitoba Legislature for an extension west to the 102nd Meridian, and to the 89th Meridian eastward, to correspond with the western boundary of Ontario.

Mr. Norquay also pressed upon the Privy Council the necessity of giving control of the public and school lands to the Province, or in lieu of the public lands, the sum of \$100,000 annually, same as granted to British Columbia. Mr. Norquay further insisted, in the event of Manitoba's eastern boundary corresponding with the western boundary of Ontario, that the Dominion Government assume all expenses connected with the determination and settlement of the same, so that the same be not a charge upon Manitoba.

Mr. Norquay further suggested, in reference to the school lands, that the same may be either administered by the Province henceforward, or that an arrangement be entered into, by which, when, in the opinion of the local authorities, these lands have attained their maximum value, they be placed in the market, on the suggestion of the local authorities, who, from their local knowledge, were in a better position to ascertain the rise and fall in value of real estate than were the Privy Council. On this subject the Privy Council advised a reference of the matter to the Deputy

Minister of Justice, who, when interviewed, said that a memorandum was being prepared by him for submission to Council, whereby it was provided that a sale of the school lands take place every year, in June, of those sections which are supposed to have attained their maximum value, and that no objection to suggestions from the Local Government would be probable.

OTTAWA, 25th February, 1881.

MY DEAR SIR JOHN,—For fear that the suggestion referring to subsidy in the memorandum submitted by the Manitoba delegates should not be clear enough, I take the liberty of writing you a few lines to explain away any vagueness that might be contained therein. The Dominion of Canada carries to-day, for the different Provinces, debts amounting to \$32.43 per head of the population, except in the case of Prince Edward Island, where it is \$50.00 per head of the population of that island, as ascertained when it entered Confederation.

The new boundaries to be fixed for the Province of Manitoba would be ample justification for an entire readjustment of her financial relations with the Dominion, and it has therefore been suggested that, on the extension of the boundary taking place, it would only be fair to allow her a larger specific grant for the Government and Legislature, which the delegates have put down at \$60,000. This will be rendered necessary on account of the additional representation that will be required in the Legislature, so that the territory to be incorporated would exercise its proper influence in the future legislation of the Province. At this juncture any interference with present existing electoral divisions in Manitoba proper would be received with great disfavor. Assuming that the population of Manitoba numbered, on the 4th of April, seventy thousand, the amount of capital debt that would be assumed by Canada on behalf of the Province would be two million two hundred and seventy thousand one hundred dollars, (\$2,270,100) less the amount of capital withdrawn and the estimated cost of the public buildings of the Province, which amount in all to three hundred and sixty-eight thousand three hundred and eighty-six dollars and eleven cents, (\$368,386.11) leaving a capital at the credit of the Province amounting to one million nine hundred and one thousand seven hundred and thirteen dollars and eighty-nine cents (\$1,901,713.89), at five per cent. interest, would yield to the Province the sum of ninety-five thousand and eighty-five dollars and sixty-nine cents, (\$95,085.69) and the eighty cents a head, at seventy thousand, would be \$56,000, so that the subsidy, assuming the population to be about 70,000, would be as follows:—

Specific grant.....	\$60,000 00
Interest on \$1,901,713.89, being amount at credit of	
Province .....	95,085 69
70,000 souls, at 80 cents.. .....	56,000 00
	<u>\$216,085 69</u>

This calculation is based on the assumption that the census returns will be in the neighborhood of 70,000, which, I think, is the maximum expectation; of course, if it turns out less the Province is the loser, but one satisfaction would be that the general basis of settlement with the other Provinces would be adopted towards Manitoba from the date of the extension of the boundaries, and the experience of the past will have been utilized for arriving at a satisfactory solution and establishing a well recognized mode of dealing with the financial position of the Province in future.

The triennial re-adjustment, on the basis of population, is urged on the following grounds: The increase of population in Manitoba has been very great in the past and promises to be much greater in the near future. Assuming that we have in the next three years an annual increase of 15,000, which is not an extravagant expectation, the Dominion would realize from that source at the rate of \$5.00 Customs and Excise duty, which is about what Manitoba is paying to-day. 1st year, \$75,000, 2nd year, \$150,000, 3rd year, \$225,000, making in all, for the three years, \$450,000, when Manitoba would, at the end of the three years, realize 80 cents a head on 45,000 of a



population, drawing thereby \$36,000 increase to her subsidy. By a progressive addition to her subsidy she would be enabled to withdraw such sums from capital from time to time as would, without reducing her annual income, enable her to put up or assist in building the necessary buildings required for courts and gaols throughout the Province, and would also have her public buildings at Winnipeg as a right, and not as charity from the Dominion.

Trusting that these suggestions, at the hands of the Privy Council, will receive a favorable consideration,

I remain, very truly yours,

J. NORQUAY.

On the 26th February Mr. Norquay had an interview with Sir John Macdonald, and agreed on western boundary between 29th and 30th Ranges of townships west of Principal Meridian. On Monday, 28th, again saw Sir John Macdonald, and got Bill providing for extension of boundary, with alterations marked, and telegraphed the same to Hon. Mr. Walker that same night.

Addressed following letter to Sir S. L. Tilley :—

OTTAWA, 1st March, 1881.

SIR,—Would you kindly inform me at what time it would suit your convenience to meet me, to discuss the question of the Manitoba subsidy, and oblige,

Your obedient servant,

J. NORQUAY.

Sir S. L. TILLEY, C.B., K.C.M.G., Minister of Finance, Ottawa.

To which the following was replied :—

OTTAWA, 2nd March, 1881.

DEAR SIR,—In reply to your letter received this morning, I am desired by Sir Leonard Tilley to say that he will be happy to see you to-morrow at one o'clock.

Yours faithfully,

FRED. TOLLER, *Secretary*.

Hon. JOHN NORQUAY.

Wednesday, 2nd March, received draft of Bill by Sir Alexander Campbell, and as Sir John Macdonald's request telegraphed Sir Alexander Campbell's draft of Bill to Hon. Mr. Walker to substitute same for clauses 2 and 3, and also received the letter from Sir Leonard Tilley, agreeing to an interview 3rd March, at 1 p.m.

On the 3rd March, 1881, according to arrangement, Hon. Mr. Norquay met Sir Leonard Tilley in his office at 1 p.m., and discussed the financial position of the Province. Although not committing himself to any definite policy on the part of the Government, Sir Leonard Tilley intimated that the Government would have to deal with Manitoba exceptionally, inasmuch as the Dominion had taken control of the Crown lands, the state of affairs prevailing in regard to Manitoba being therefore different to that in the other Provinces. He thought they could accede to readjustment of our finances on a more liberal basis than a decennial census, and freely admitted the urgency of Manitoba's claims, and intimated that the Government would deal with the Province in such a way as to have no cause of complaint; that in consideration of the Federal Government administering the public lands of the Province he believed some arrangement would have to be arrived at, by which an allowance would be made to the Province in lieu of the public lands, and cited the instance of Prince Edward Island (without public lands, at the time of Confederation), to which Government an allowance had been made for the acquisition of public lands.

He could not promise that Manitoba would be dealt with in the same way, yet thought it very likely that a suggestion to that effect from him to his colleague would be favorably considered; that meantime, until a definite arrangement was made, the Federal Government would consider it their duty to advance such sum from the capital at the credit of the Province as would enable the Government to conduct the affairs of the Province efficiently.

OTTAWA, 25th April, 1881.

SIR,—I have the honor to inform you that the confidential memorandum dated 2th February, 1881, of Messrs. Norquay and Girard, "delegates appointed to confer with the Government of Canada in reference to matters connected with the enlargement of the boundaries of Manitoba and an increase to the subsidy," has had the careful consideration of the Government of the Dominion.

1. The boundaries have been enlarged in accordance with the Act of the Legislature of the Province of Manitoba passed at its last Session, and on the terms therein set forth a certified copy of the Act of Parliament is herein enclosed.

2. The third clause of the Act points out the preliminary arrangements which are necessary to be made before the newly added territory be handed over. A memorandum in detail from the Minister of Justice, regarding these steps, will be sent in a subsequent despatch.

3. On these arrangements being completed His Excellency the Governor-General will be advised to issue the proclamation provided for in the fourth clause of the Act.

4. The representations of the delegates on the subject of the financial position and requirements of Manitoba have had the most attentive consideration of the Government of Canada, who have not failed thoroughly to appreciate the very able statements and arguments placed before them by Messrs. Norquay and Girard on this important part of the mission with which these gentlemen have been charged by the Manitoba Government, and but for the near approach of the period for taking the census of the inhabitants of the several Provinces of the Dominion the Canadian Government would have been ready to have sought, in conjunction with the two delegates, some fair and considerate adjustment of the various points involved in this part of the task entrusted to those gentlemen. The taking of the census, however, will place both Governments in possession of that statistical knowledge which is essential to a just and equitable readjustment of the financial basis upon which Manitoba was created into a separate Province. So soon as the census returns have been placed in the possession of the Dominion Government they will be prepared to deal with the subject in an impartial spirit.

5. In the meantime, and until the returns above mentioned shall have been received, the Government of Canada will, to meet the immediate necessities of the Province, be prepared to advance to Manitoba, to be charged against the unused right to incur debt, the sum of fifty thousand dollars, at five per cent. interest, upon being furnished with official request therefor on the part of the Government of Manitoba.

6. An item has been placed in the Supply Bill of the recent Session of Parliament for the construction of a lunatic asylum on the confines of the Province, and the work of construction will be duly undertaken.

7. The Government of the Dominion advise that an Act of the Legislature of Manitoba should be passed, reciting the statute of the Dominion enlarging the boundaries of Manitoba, and confirming the same and the terms thereof.

I have the honor to be, Sir, your obedient servant,

JOHN O'CONNOR, *Secretary of State.*

To His Honor the Lieutenant Governor of Manitoba, Winnipeg.

#### 44 VICTORIA, CHAPTER 14.

An Act to provide for the extension of the boundaries of the Province of Manitoba.

[Assented to 21st March, 1881.]

Whereas, by an Act of the Legislature of the Province of Manitoba, passed during the Session thereof held in the present year of Her Majesty's reign, and intituled: "An Act to provide for the extension of the boundaries of the Province of Manitoba," the Legislature of that Province hath consented to the increase of the same by the alteration of its limits, as hereinafter enacted, upon the terms and conditions hereinafter expressed: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—



1. The Province of Manitoba shall be increased, as hereinafter defined, that is to say, so that the boundaries thereof shall be as follows: "Commencing at the intersection of the international boundary dividing Canada from the United States of America by the centre of the road allowance between the twenty-ninth and thirtieth ranges of townships lying west of the first Principal Meridian in the system of Dominion land surveys; thence northerly, following upon the said centre of the said road allowance as the same is or may hereafter be located, defining the said range line on the ground across townships one to forty-four, both inclusive, to the intersection of the said centre of the said road allowance by the centre of the road allowance on the twelfth base line in the said system of Dominion land surveys; thence easterly along the said centre of the road allowance on the twelfth base line, following the same to its intersection by the easterly limit of the district of Keewatin, as defined by the Act thirty-ninth Victoria, chapter twenty-one, that is to say, to a point where the said centre of the road allowance on the twelfth base line would be intersected by a line drawn due north from where the westerly boundary of the Province of Ontario intersects the aforesaid international boundary line dividing Canada from the United States of America; thence due south, following upon the said line to the international boundary aforesaid; and thence westerly, following upon the said international boundary line dividing Canada from the United States of America to the place of beginning," and all the land embraced by the said description, not now within the Province of Manitoba shall, from and after the passing of this Act, be added thereto, and the whole shall, from and after the said date, form and be the Province of Manitoba.

2. The terms and conditions upon which such increase is made are as follows:—

(a) All the enactments and provisions of all the Acts of the Parliament of Canada which have, since the creation of the Province of Manitoba, been extended into and made to apply to the said Province, shall extend and apply to the territory by this Act added thereto as fully and effectually as if the same had originally formed part of the Province, and the boundaries thereof had, in the first instance, been fixed and defined, as is done by this Act, subject, however, to the provisions of section three of this Act.

(b) The said increased limit and the territory thereby added to the Province of Manitoba shall be subject to all such provisions as may have been or shall hereafter be enacted respecting the Canadian Pacific Railway and the lands to be granted in aid thereof.

3. All laws and ordinances in force in the territory hereby added to the Province of Manitoba at the time of the coming into force of this Act, and all courts of civil and criminal jurisdiction, and all legal commissions, powers and authorities, and all officers, judicial, administrative and ministerial, existing therein at the time of the coming into force of this Act, shall continue therein as if such territory had not been added to the said Province; subject, nevertheless, with respect to matters within the legislative authority of the Legislature of the Province of Manitoba, to be repealed, abolished or altered by the said Legislature.

4. This Act shall come into force only upon, from and after a day to be appointed in that behalf by proclamation of the Governor published in the *Canada Gazette*.

3rd May, 1881.

The Hon. Mr. Norquay laid upon the Table a copy of the Bill "An Act to provide for the extension of the boundaries of the Province of Manitoba," as passed by the Senate and House of Commons in the third Session of the fourth Parliament, held in the forty-fourth year of Her Majesty's reign, and assented to in the Queen's name by the Governor General on Monday the twenty-first day of March, 1881; certified under the hand and seal of Robert LeMoine, Clerk of the Parliaments.

The Hon. Mr. Norquay, from the special committee appointed to prepare and report an Address to His Excellency the Governor General on the subject of a further extension of the boundaries of the Province, reported an Address, which was read as follows:—

the Right Honorable Sir John Douglas Sutherland Campbell, Marquis of Lorne, Knight of the Most Ancient and Most Noble Order of the Thistle, Knight Grand Cross of the Distinguished Order of Saint Michael and Saint George, Governor-General of Canada and Vice Admiral of the same :

AY IT PLEASE YOUR EXCELLENCY :

We, Her Majesty's most dutiful and loyal subjects, the Legislative Assembly in session assembled, humbly approach Your Excellency for the purpose of representing—

That it is the opinion of this House that it is in the interest of the Province that the boundaries thereof should be still further extended, viz.: To the west of the 102nd meridian, to the north of the 60th parallel of north latitude, so as to contain the outlets on Hudson's Bay and to the east to Lake Superior.

That the public lands within the bounds of the Province as above defined should be handed over to the trusteeship of the provincial authorities, including the forests, mines, minerals, &c., for administration for the public uses of the Province.

That in the settlement of the question of our eastern boundary, should it be found that such eastern boundary (when properly and legally divided) shall be at a point west of Thunder Bay, that the Executive be requested to commence negotiations with the rightful owners thereof, with a view of acquiring such strip of land as may be between such boundary and the meridian passing immediately east of Prince Arthur's Landing.

We therefore humbly pray that Your Excellency in Council will be pleased to take such steps as, in Your Excellency's knowledge of the circumstances, as set forth in the foregoing, Your Excellency may deem necessary and expedient for the attainment of the objects sought by this Legislature, the importance of which, to the Province of Manitoba, we hold to be incalculable.

The Hon. Mr. LaRivière presented to the House, by command of His Honor the Lieutenant-Governor—

Report of the Superintendent of Catholic schools for the year ending 1881, also Report of the Superintendent of Education for Protestant schools for the year ending 1881.

On motion of Mr. Alexander, seconded by Mr. Sifton,

The House resolved itself into the Committee of the Whole to consider the following resolutions:—

That whereas certain settlers in the newly added territory were settled on odd-numbered sections previous to the survey in the years 1879 and 1880, and said settlers have made large improvements, with the hope of obtaining these lands.

And whereas the Dominion Government did, in the fall of 1881, pass an Order in Council allowing all who had settled on their land in 1879 a right to make homestead and pre-emption entries.

And whereas efforts have been made on behalf of the settlers of 1880, in order that they might be allowed the same right; and whereas, up to the present time, the said settlers have not been allowed to make their entries and are still living on suffrage.

That it is the opinion of this House that the said settlers should be dealt with liberally, and that they should be allowed to make homestead and pre-emption entries.

That an humble Address be presented to His Excellency the Governor General in Council, praying that this matter may receive their most favorable consideration, to the end that these men may obtain their homes.

The resolutions having been put and read the second time, were agreed to.

(82a)

## RETURN

To an ADDRESS of the HOUSE OF COMMONS, dated 15th March, 1882;—For copies of all despatches between the Governments of Canada and of Manitoba, and of all correspondence between members of such Governments, and of all Orders in



Council in reference to the extension of the boundaries of Manitoba, and also in reference to further grants of money or other aid to that Province.

By command,

J. A. MOUSSEAU, *Secretary of State.*

Department of the Secretary of State, 29th March, 1882.

*COPY of a Report of a Committee of the Honorable the Privy Council for Canada, approved by His Excellency the Governor General on the 7th day of March, 1882.*

The Committee of the Privy Council have had under consideration the memorandum, dated the 7th February last, from Messrs. Norquay and Larivière, delegates of the Executive Council of the Province of Manitoba, appointed to confer with the Privy Council of Canada in reference to the several subjects set forth in the printed memorandum hereto annexed; and they have the honor to report to Your Excellency in Council as follows:—

### 1.—*Increase of Subsidy.*

The Committee of the Privy Council have carefully considered the application in this respect of the delegates from Manitoba.

The allowance for Government and legislation in Prince Edward Island, upon a population of 120,000, was only \$30,000; that of British Columbia, upon a population of 60,000, was \$35,000.

The Committee of Council were obliged to bear in mind such analogies in dealing with the request of the delegates, but they are prepared to recommend an increase on this head to Manitoba of \$20,000, making the allowance to that Province for legislation and Government \$50,000.

The present population of Manitoba is estimated by the delegates to be nearly 90,000, upon a basis of 25,000 immigrants having entered the country since the census returns, these returns showing an actual population of 64,814; there is, moreover, a large monthly addition of intending settlers arriving, and with many indications that the stream of immigration will continue and increase.

The Committee of the Privy Council are willing to recommend that the population be reckoned, for the purpose of adjusting the sum *per capita* to be allowed to the Province, at 150,000, and, at eighty (80) cents a head, to allow \$120,000 thereon; and they are also willing to allow to Manitoba the same sum that was allowed to Prince Edward Island in lieu of lands, namely \$45,000.

These sums, with the interest due to Manitoba on the undrawn allowance for debt, would make the income of that Province from Dominion sources \$227,153.04.

### 2.—*Public Lands.*

The Committee of the Privy Council are not prepared to recommend any change in respect to the Dominion lands lying in Manitoba. The analogy which the delegates see between the public lands in other Provinces and those in Manitoba does not seem to the Committee of Council to be well drawn, inasmuch as the other Provinces owned their lands before Confederation and brought them into the Union with them as their own property, whereas the whole of Manitoba was acquired by the Dominion by purchase from the Hudson Bay Company, and thus became the property of the Dominion, and stands really, as it seems to the Committee of Council, in the same position as lands in the territories of the United States, which are not given to new States, as these new States are created, but remain the property of the United States.

Considering, however, the peculiar position of the Province, the Committee of Council have indicated, in the previous paragraph, their willingness to allow Manitoba at the rate of \$45,000 a year, as is done in Prince Edward Island, in lieu of lands.

### *School Lands.*

These lands, which were set apart for educational purposes, were vested as a high trust in the Government of the Dominion, and the future necessities of the Province of Manitoba will, it is thought by the Committee of Council, be best consulted

retaining the administration of the trust, as contemplated by the laws of the Dominion—the annual interest, less the expense of administration, being paid over to the Province for educational purposes.

### 3.—*Half-breed Grant in the added Territory.*

The grants to half-breeds in the original Province of Manitoba were made on account of the peculiar circumstances of the time and the position of these half-breeds, but the result was, as regards them, not encouraging, and to make additional grants to the children of half-breeds in the added territory would be, it is thought, simply to furnish additional opportunities for speculators, without really benefitting the half-breeds.

### 4.—*Appointment of Judges.*

The Committee of the Privy Council recommend the appointment of two county judges, and that Parliament be asked to furnish salaries for them, the Legislature of Manitoba having, by chapter 28 of 44th Victoria, passed the necessary provisions in that behalf.

### 5.—*The Boundary Question.*

The Committee of the Privy Council recommend that the Government of Manitoba be informed that the Dominion Government is doing, and will continue to do, all in its power to arrive at a settlement of the disputed boundary between Manitoba and Ontario, and will gladly second any effort which the Government of Manitoba may make in the same direction.

### 6.—*Representation of the Province as Enlarged.*

The position taken by the delegates, as regards the right of the Province to an additional member in the Senate, is admitted to be correct, and the Committee of Council recommend that the Government of Manitoba be informed that an appointment accordingly, to that body, will shortly be made.

As regards representation in the Commons, which is based upon population, the Province is not entitled to an additional member in that House. The question of what might be called the "territorial" claim to an additional member it is difficult to deal with, but the Committee of Council advise that the Government of Manitoba be informed that the Dominion Government will give it careful consideration, with a desire to meet, if possible, the wishes expressed on behalf of Manitoba by its delegates.

### 7.—*Prosecution of Work on Public Buildings.*

The Committee of the Privy Council recommend that the Government of Manitoba be informed that energetic steps will be taken to prosecute the work on the Parliament House and the Government buildings at Winnipeg, and that a vote will be taken for the erection of a lunatic asylum, if not on the confines of Manitoba, at all events within the reach of that Province, and that provision will be made for receiving lunatics from Manitoba on reasonable terms.

The Committee submit the above recommendations to Your Excellency's favorable consideration.

Certified.

J. O. COTÉ, Clerk Privy Council.

MEMORANDUM of the Delegates of the Executive Council of the Province of Manitoba, appointed to confer with the Privy Council of Canada in reference to the following subjects:—

#### 1ST.—INCREASE OF SUBSIDY.

In urging upon the Privy Council a rearrangement of the subsidy allowed by Canada to the Province of Manitoba, the delegates would respectfully submit the following:—In 1870, when Manitoba was created a Province of the Dominion and invested with all the responsibilities incident to constitutional government, she was allowed by Canada a subsidy of \$67,204.50, made up in the following manner:—



Specific grant for support of Government and legislation.....	\$30,000 00
8½ cents per head on an assumed population of 17,000 souls.....	13,600 00
5 per cent. interest on a debt capital of \$472,090, which represented a debt of \$27.77 on above population, being the basis on which the other Provinces were assumed by the Dominion on their entering Confederation. ....	23,604 50
	<u>\$67,204 50</u>

By the readjustment of the debts of the older Provinces, under 36 Vic., chap. 30, old Canada was relieved of a debt of \$10,506,089.84, and the same assumed by the Dominion.

Nova Scotia was allowed an increase to her debt capital of....	\$1,344,780 00
New Brunswick do do do ...	1,176,680 00
British Columbia do do do ...	280,084 00
Manitoba do do do ...	79,457 00

which, at 5 per cent. interest, increased the subsidy of the Province to \$71,172.26. It was, however, soon demonstrated that even with the increase referred to the revenue of the Province was insufficient to meet the necessary expenditure, and year after year the legislative appropriations were unavoidably exceeded; so that in 1875 the sum of \$158,386.11 had been withdrawn from the capital at the credit of the Province, and the yearly revenue reduced by the interest on that sum at 5 per cent., amounting to \$7,919.31, leaving the Province from Dominion sources an available subsidy of \$63,253.04. To supplement the inadequacy of the revenue of the Province, Parliament was asked to authorize a temporary grant, under 39 Vic., chap. 3, of \$26,746.96, thus raising the revenue to \$90,000.00, the operation of the Act to cease on the 31st December, 1881.

By an arrangement between the provincial authorities and the Government of Canada an advance, under 41 Vic., chap. 13, was authorized in aid of the public schools of Manitoba, of \$10,000 per annum for three years, ending 30th June, 1881, which sum, with 5 per cent. interest, is to be charged against the first sales of school lands, but of which the Government of Manitoba have only received \$20,000.

Notwithstanding the addition to the annual subsidy thus made from time to time, it was found utterly impossible to inaugurate any system of public improvements, as the revenue, with the most rigid economy, was still inadequate to meet more than the absolutely necessary expenses of government; and this state of affairs was largely brought about by the rapid increase of settlement and corresponding requirements incident thereto.

Under 42 Vic., chap. 2, a further temporary grant of \$15,653.04 was made to the Province, thus bringing the subsidy up to \$105,653.04, the operation of which Act ceased on the 31st December last.

In the efforts of the local authorities to meet, as far as lay within their power, the demands made upon them by immigrants and settlers for the improvement of the leading highways through the Province, the Government spent, out of the slender means at their disposal, the sum of \$137,769.43, and in addition to this, during the years 1880 and 1881, they expended a further sum of over \$100,000 in prosecuting a system of drainage which has been of incalculable benefit to the Province, and have thereby reclaimed a vast area of submerged lands, which would otherwise have been totally useless and an insurmountable obstacle to settlement. In order to effect the above, inroads were made into our capital account, from time to time, by which the amount to our credit has been reduced from \$551,447 to \$243,060.89.

Under the existing arrangements providing for the revenue of the Province, the total of our available revenue from the Dominion is as follows:—

Interest on \$243,060.89, at 5 per cent.....	\$12,153 04
Specific grant.....	30,000 00
80 cents per head on a population of 64,814.....	51,861 20

\$94,004 24

In addition, a sum amounting to about \$18,000.00 is derived from provincial sources, so that the total revenue of the Province may be estimated at about 112,000.

The necessary expenditure of the Province, owing to increased settlement and enlarged area, has become out of all proportion to the available revenue.

It is impossible, at the present juncture, to estimate with any degree of accuracy the expenditure that will be necessary to carry out the public business of the Province, owing to the unsettled question of the eastern boundary, by which Manitoba may or may not have to assume control over a large area of thinly settled country, the expense of governing which will be out of all proportion to the population residing therein.

It is reasonable to suppose that with the increased facilities afforded by the Canadian Pacific and other railways now under construction the yearly increase to the population will be much larger and more rapid than it has been during the last decade, and with it correspondingly increased expenditure will be the inevitable result.

The undersigned would therefore respectfully suggest that such a financial arrangement be now made as will obviate the necessity of delegations from the Province, such as have taken place annually, since the year 1872. The undersigned would further respectfully suggest, as a basis of subsidy, that the Province be allowed for its Government and Legislature the sum of \$60,000; also 5 per cent. interest on \$3,243,000, being at the rate of \$32.43 per head on a population of 100,000 souls, less amount already withdrawn by the Province, and 80 cents a head on 100,000 souls, 80,000, making in all \$286,730.70. In support of this assumed population the undersigned would respectfully submit the following: That the census returns show a population in Manitoba of 64,814 souls, which did not include the immigrants of last year, which may be estimated at 25,000, making in all 89,814. The attention that Manitoba is now attracting may fairly justify the belief that before the close of the year 1882 the population will have far exceeded the 100,000.

#### 2ND.—THE PUBLIC AND SCHOOL LANDS.

It would seem to have been a recognized principle that one of the bases of Confederation should be that each Province then forming part of the Union should have the management and sale of the public lands and of the wood and timber thereon, as provided for in clause 92 of the British North America Act, the revenue derivable therefrom to be administered by the provincial authorities in the interests of the different Provinces respectively; and we find the same principles recognized in the provisions by which the Provinces of British Columbia and Prince Edward Island were admitted into the Union subsequent to the creation of Manitoba as a Province of Canada. The policy of Canada towards Manitoba stands out in marked contrast to that pursued towards the last-mentioned Provinces by the Dominion, for while we find British Columbia enjoying all the privileges conferred on the other Provinces, in reference to the management and sale of its public lands, and Prince Edward Island, which had no public domain, when entering Confederation, receiving an annual allowance to enable her to acquire the same, clause 30 of the Manitoba Act provides that all ungranted or waste lands in the Province shall be vested in the Crown and administered by the Government of Canada for the purposes of the Dominion.

The undersigned would respectfully submit that while the generous and liberal policy of the Dominion in the settlement of titles and in the inducements held out to immigrants has contributed largely to the development of the country and has thereby aided materially in increasing the Customs and Excise revenue, the necessary expenditure of the Province has been augmented without any corresponding revenue, except such temporary grants as have been referred to already in this memorandum. A large proportion of the unoccupied lands within the limits of the Province has been, or is about to be, set apart, as we understand, for the promotion of railway enterprise, and there therefore now remains no large area of ungranted lands, such as could be utilized by the Dominion for any comprehensive colonization



scheme, but sufficient remains to enable the Province, if invested with the management thereof, to secure such an addition to its revenue as would obviate the necessity of any further demands upon the Dominion.

#### *School Lands.*

In reference to the lands set apart for educational purposes, the delegates would respectfully submit that the advantages of local knowledge possessed by the provincial authorities of the relative value of the sections, would enable them to realize the highest possible return that could be secured from the management and sale thereof. The requirements of the Province in respect of education are increasing so rapidly that the legislative appropriations therefor will, of necessity, have to be much more liberal than they have been in the past. Nor do they deem it inappropriate or unreasonable that the provincial authorities should be invested with the administration of the school lands, as the object for which they are set apart is purely of a local character and subject to local legislation.

#### 3RD—HALF-BREED GRANT IN ADDED TERRITORY.

On the creation of Manitoba, in 1870, provision was made for the extinguishment of the Indian title to the lands in the Province, by setting apart one million four hundred thousand acres to the children of half-breed heads of families then residing in the Province, and by a subsequent provision scrip representing 160 acres of Dominion lands was issued to the heads of families of that class of settlers. There were at that time resident on the confines of the Province, as then territorially defined, a number of half-breed settlers who were not included amongst those entitled to participate in such grant, but who are now residing within the present limits of the Province of Manitoba as extended. The delegates would respectfully submit that the Government of Canada would extend to them the same liberal treatment as characterized their action to those resident in the Province at the time of its creation.

#### 4TH—APPOINTMENT OF JUDGES.

The business of the courts of the Province has increased so rapidly that the energies of the present judiciary are taxed to the fullest extent. The undersigned would therefore respectfully suggest that an addition of two county judges be made to the judiciary of Manitoba, in accordance with the suggestion made by the Right Hon. Sir John A. Macdonald, in an interview held on the 22nd January, 1881, with Justice Miller and Mr. Norquay, of Manitoba. They would further submit that legislation dividing the Provinces into judicial districts has already been enacted by the Legislature of Manitoba.

#### 5TH—THE BOUNDARY QUESTION.

The delegates would respectfully urge an early determination of the eastern boundary of the Province of Manitoba, as provided for by 44 Vic., cap. 14, and would call the attention of the Privy Council to the following clause of a memorandum of the Legislature of the Province on the subject:—

“That it is desirable that the boundaries of the Province should be extended eastward to correspond with the line marked as the west boundary of Ontario, near the 89th meridian of west longitude. That the requirements of the prairie portions of the Province could be supplied with the timber of the eastern portion, and a port on Lake Superior would thereby be secured to the Province.”

#### 6TH—REPRESENTATION OF THE PROVINCE AS ENLARGED.

By the Manitoba Act the Province was allowed a representation of two members in the Senate and four in the Commons of Canada. Provision was also made by which an increase of one member in the Senate should take place when the population reached 50,000. In support of increased representation in the Commons, the undersigned would respectfully submit that the Province of Manitoba, prior to enlargement, was entitled, by its constitution, to a representation of four members in the Commons. By 44 Vic., cap. 14, of the Statutes of Canada, a large portion of the adjoining terri-

ry to the east, to the west, and to the north, was added to the Province, and became a portion thereof. The delegates would therefore submit that it would only be fair that the added territory should be represented in the Commons of Canada, without interfering with the representation that Manitoba proper was entitled to before the enlargement took place.

#### 7TH—PROSECUTION OF WORK ON PUBLIC BUILDINGS, &c.

The delegates would respectfully urge upon the Privy Council the energetic prosecution of the work on the Parliament Buildings and Government House in the city of Winnipeg, and also of the erection of a lunatic asylum on the confines of the Province, as promised in the answer to the memorandum of Messrs. Norquay and Girard, a year ago.

The delegates will be ready at any time to discuss the various matters referred to in the above memorandum, and furnish all necessary information that may be required.

Respectfully submitted,

J. NORQUAY, *Provincial Treasurer.*

A. A. C. LARIVIERE, *Provincial Secretary.*

OTTAWA, 7th February, 1882.

OTTAWA, 29th March, 1882.

SIR,—I have the honor to transmit herewith, in compliance with an Address of the House of Commons, under date the 15th instant, copies of all despatches between the Governments of Canada and of Manitoba, and of all correspondence between the members of such Governments, and of all Orders in Council in reference to the extension of the boundaries of Manitoba, and also in reference to further grants of money or other aids to that Province, so far as is on record in this Department.

I have the honor to be, Sir, your obedient servant,

A. M. BURGESS, *Secretary,*  
*Deputy of the Minister of the Interior.*

The Under Secretary of State, Ottawa.

His Excellency the Right Honorable Sir John Douglas Sutherland Campbell (commonly called the Marquis of Lorne), one of Her Majesty's Most Honorable Privy Council, Knight of the Most Ancient and Most Noble Order of the Thistle, and Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Governor-General of Canada, and Vice-Admiral of the same, &c., &c., &c.

WILLIAM ATTY PLEASE YOUR EXCELLENCY :

We, Her Majesty's most dutiful and loyal subjects, the Legislative Assembly of Manitoba in session assembled, humbly approach Your Excellency for the purpose of representing,—

That in the opinion of this Legislature the boundaries of the Province of Manitoba are too circumscribed, and that the same could be extended easterly, westerly, and northerly, with advantage to the Dominion of Canada;

That this Legislature has already, at the suggestion of the Privy Council of Canada, passed an Act to provide for the enlargement of the limit of the Province, 7 Vic., chap. 2, statutes of Manitoba;

That the sum placed at the disposal of the Province for the ordinary expenses of Government is utterly inadequate to meet the just requirements thereof.

That in view of a re-adjustment of the financial relations of the Province with the Dominion being made to accord with the census returns of 1881;

This Legislature deems the present a fitting time to respectfully request the Privy Council of Canada to take steps for the immediate enlargement of the Province, and that in connection therewith such terms and conditions shall be granted and made as will be just and equitable, and will enable the executive authorities of the Province to provide for the suitable administration of its affairs, and to attend to



the various public needs of the community, increased, as these are, by a rapidly augmenting population.

We therefore humbly pray that Your Excellency will be pleased to take such steps as may be necessary to carry out the views of the Legislature.

G. McMICKEN, *Speaker*.

LEGISLATIVE ASSEMBLY, WINNIPEG, 14th February, 1880.

*To His Excellency the Right Honorable Sir John Douglas Sutherland Campbell,  
K.C.M.G., Governor General of Canada.*

MAY IT PLEASE YOUR EXCELLENCY :

I have the honor to transmit for Your Excellency's consideration the accompanying petition, from the settlers resident within the Little Saskatchewan district of the North-West Territories; praying Your Excellency to cause your Government to enact such legislation as will extend the western boundary of the Province of Manitoba to the 102nd degree of longitude, so as to include the Little Saskatchewan portion of the North-West Territories within the Province of Manitoba, with a continuation of the restrictions which at present exist upon the manufacture and sale of intoxicating liquors.

I have the honor, Sir, to be Your Excellency's obedient servant.

R. HARTFORD KENNING.

PRAIRIE CITY, LITTLE SASKATCHEWAN, 20th March, 1879.

*To the Right Honorable Sir John Douglas Sutherland Campbell, Marquis of Lorne,  
Knight of the Most Ancient and Most Noble Order of the Thistle, K.C.M.G.,  
Governor General of Canada, and Vice-Admiral of the same.*

MAY IT PLEASE YOUR EXCELLENCY :

The petition of the undersigned settlers resident in that portion of the North-West Territories adjacent and contiguous to the Province of Manitoba, humbly prays,

That the Province of Manitoba be enlarged, so as to include the territory lying to the east of the 102nd degree of longitude;

That in enlarging the said Province, provision be made to continue the present restrictions upon the introduction, manufacture and sale of intoxicating liquors within any of the territory where such restrictions at present exist;

That upon the Province of Manitoba being thus enlarged, new counties be formed to the west of the present boundary of the aforesaid Province, and as early as convenient to your Government your petitioners be accorded the right of representation in the House of Commons;

That such legislation be enacted as will enable the territory lying between the present western boundary of the Province and the 102nd degree of longitude to send six representatives to the Legislative Assembly of the Province of Manitoba, and your petitioners will ever pray.

P. St. Clair McGregor,  
R. Hartford Kenning,  
John McGregor,  
Alex. Halliday,  
G. S. McGregor,  
Archibald L. McGregor,  
Hugh Gray,  
John D. Gillis,  
James Norquay, Tp. 15, R. 18, Sec. 12.  
William Miler, Tp. 15, R. 15, Sec. 4.  
James Thomas Hall, Tp. 15, R. 14, Sec. 20.  
John McGillivray, Tp. 15, R. 14, Sec. 32,  
Hector Kelly,  
T. D. Harrison,

William Gill,  
William Miller,  
William Farrell,  
Simon Cameron,  
William Davis,  
Angus Galbraith,  
Alex. Bold,  
Alex. Bold, jun.,  
John Bold,  
William Bold,  
Donald Ross,  
W. John Ross,  
James Ross,  
Alex. Ross,

James Jermayn,  
 James Sinclair,  
 Duncan Cameron, Sec. 16, Tp. 17, R. 21, W.  
 Alex. Cameron, Sec. 21, Tp. 15, R. 18, W.  
 Neil Cameron,  
 Dougald Cameron, Sec. 16, Tp. 16, R. 18, W.  
 W. H. Craig,  
 William H. Beckett,  
 James Thompson,  
 Daniel Buchanan,  
 Charles Armstrong,  
 T. Lawson,  
 James Crawford,  
 Baird Gill,  
 Hector McLean,  
 John Crawford,  
 Ritchal Cathers,  
 Hugh Walker,  
 Oscar E. Reilly,  
 John Ralston,  
 John S. McKay,  
 Samuel Adams,  
 Frs. Borlam,  
 M. E. Armstrong,  
 William Burland,  
 Robert Burland,  
 James Todd,  
 Kenneth Murray,  
 Moses Pool,  
 W. A. Priest,  
 W. Doherty,  
 Peter Hay,  
 Morgan Thick,  
 Eli Potter,  
 Jonah Potter,  
 Samuel Packetts,  
 Albert Packetts,  
 James Orr,  
 George Fraser,  
 Charles Robert Krudson,  
 Robert Kyle,  
 W. Henry Becket,  
 Hugh Harley,  
 Thomas Brown,  
 Adam Watson,  
 William N. Brodes,  
 Fred McNeil,  
 Cunninham Knox,  
 Adam Keoke,  
 A. Connoly,  
 Donald Keppen,  
 Donald Ross,  
 Angus McCallum,  
 T. H. Jackson,  
 S. R. Adams,  
 Robert Watson,  
 Charles Robert Krudson,

Donald Buchanan,  
 Hugh Buchanan,  
 Dugald Buchanan,  
 Duncan Buchanan,  
 John Buchanan,  
 John Grahame,  
 William Cain,  
 George Balkwill,  
 John Honeyman, Sec. 21, Tp. 16, R. 15.  
 James Honeyman, Sec. 22, Tp. 15, R. 15.  
 Alfred Dell, Sec. 4, Tp. 17, R. 15.  
 Alfred Chatwin, Sec. 15, Tp. 16, R. 15.  
 Peter Inglis, Sec. 20, Tp. 16, R. 15.  
 William Currie, Sec. 25, Tp. 16, R. 15.  
 John J. Walker, Sec. 27, Tp. 16, R. 15.  
 Arthur Kilburn, Sec. 16, Tp. 16, R. 15.  
 Edward Winstanley  
 R. Balstwist,  
 James Paton,  
 Neil McIntyre,  
 Peter McBain,  
 Frank May,  
 H. McFadden,  
 John Hulton,  
 Alfred Murton,  
 Andrew Bisset,  
 Adam Watson,  
 Robert Keys.  
 John McLean,  
 J. Charles McLean,  
 John Richardson,  
 James Dick,  
 John Crawford,  
 Richard Manly,  
 Edmund Manly,  
 Robert Manly,  
 John Manly,  
 John McDougall,  
 John Logan,  
 Daniel Campbell, Tp. 15, R. 18 Sec., 30,  
 James Brown, Tp. 15, R. 19, Sec. 36.  
 Allan McDougall, Tp. 16, R. 19, Sec. 12,  
 John Black, Tp. 18, R. 23, Sec. 21,  
 John Clerk, Tp. 16, R. 19, Sec. 15,  
 John McTavish, Tp. 16, R. 18, Sec. 5,  
 Angus McDonald, Tp. 15, R. 19, Sec. 36,  
 Wm. M. McTavish, Tp. 16, R. 18, Sec. 6,  
 Angus Grant, Tp. 15, R. 18, Sec. 20,  
 John W. Lowe, Tp. 12, R. 15, Sec. 27,  
 Alexander Delmage,  
 Joseph Metcalf,  
 Charles Delmage,  
 Edward Delmage,  
 Thomas Leslie,  
 William Lamb,  
 Peter McCuddie,  
 Samuel Atrill,



M. H. Ditch,  
 John B. McPhail,  
 John R. McLean,  
 Charles McLean,  
 James Bray,  
 Robert Wallace,  
 John Caithness,  
 W. Dairs,  
 Alexander Abell,  
 John Abell,  
 James Sutherland  
 William Todd,  
 Robert Bryce,  
 W. A. Grant,  
 R. Sheffer,  
 John Brine,  
 A. Galbraith,  
 Arthur Mack,  
 John Souster,  
 Simon Cameron,  
 John C. McCormick,  
 George Tooth,  
 John Robertson,  
 L. Gailbraith,  
 J. W. Bare,  
 Elijah Baccen,  
 George Shaffer,  
 George Walton,  
 Richard Walton,  
 John Gunn,  
 William Murdock,  
 Samuel Royd,  
 W. E. Boyd,  
 W. M. Webb,  
 Donald McEwan,  
 Robert Culley,  
 William Small,  
 John McKay,  
 Joseph Hopkins,  
 Thomas Pollow,  
 James M. Young,  
 Arthur Smith,  
 Sifton Wilson,  
 W. J. Ptolemy,  
 William Jacks,  
 Alex. McBain,

James Cole,  
 T. Gury,  
 William Pocket,  
 James Brown,  
 W. I. Kyle,  
 Malcolm McLeod,  
 J. H. McDonald,  
 T. A. Henderson,  
 J. L. Walker,  
 Hector McFayden,  
 Donald McFayden,  
 Peter Inglis,  
 Robert McVicar,  
 Arthur Kilburn,  
 Jacob Caithers,  
 John F. Morrison,  
 Robert Bell,  
 John Bell,  
 William Bell,  
 Alex. Keppen,  
 Donald Grant,  
 J. M. Young,  
 John Hogg,  
 Hugh McKewin,  
 I. B. Sinclair,  
 Donald McBain,  
 John Brown,  
 Robert Brown,  
 R. Muir,  
 Joseph Muir,  
 W. M. Gray,  
 Neil Stewart,  
 John McKeller,  
 R. McKeller,  
 A. L. Sinclair,  
 Archibald Campbell,  
 Hugh Borme,  
 William P. Reed,  
 Neil Macallum,  
 Samuel Porson,  
 James Thompson,  
 Thomas Borrow,  
 Joseph Metcalf,  
 Thomas Anderson,  
 Andrew Robb,  
 William Anderson.

LITTLE SASKATCHEWAN P. O., 26th June, 1879.

SIR,—On the 28th of January last I had the honor of forwarding a petition to you from one of the principal settlements in the North-West Territory, respecting various matters, and in your reply, No. 16839, dated the 27th February, we were led to believe some kind of an answer would have been sent us by this time, and, as none has arrived, I am requested again to bring this matter before you, for since that period some of the Manitoba people have sent a petition to the Government, asking extension for the said Province, and pretend it to be from here, contrary to the wishes of the people on the Little Saskatchewan.

I have the honor to be, Sir, your obedient servant,  
 Hon. Minister of the Interior, Ottawa.

C. M. CAMERON.

LITTLE SASKATCHEWAN P. O.,  
NORTH-WEST TERRITORY, 28th January, 1879.

SIR,—I have the honor to forward the enclosed petition, and I hope you will kindly consider the same, and see the great necessity that exists in this part being represented in the Government of the country, as at present we have no representation of any kind, and this retards the settlement of the country; and if we are to be left subjected to the hon. the nominee Government of the North-West Territory, without representation, it will effectually put a stop to the country being located, and will be the cause of some of the present settlers leaving the country. Besides, the present seat of Government is unknown, being about 600 miles west of this.

I have also the honor to bring to your notice a great hardship and drawback to the settlement of this country, viz., new settlers are not allowed to cut any timber on Government lands for fencing or for building a house. The interest of this country demands it, and I hope your Government will grant permission to all new settlers, for two years, to cut such a small quantity of timber as he may require for building a little house and for fencing a few acres of land.

I have the honor to be, Sir, your obedient servant,

C. M. CAMERON.

Sir JOHN A. MACDONALD, Minister of the Interior, Ottawa.

The petition of the undersigned settlers and landowners, residing on and near the Little Saskatchewan River, North-West Territory,—

Humbly sheweth, That your petitioners are informed, by report, an attempt is now about being made by the Provincial Government of Manitoba to apply to the Dominion Government for extension westward of the Province boundaries to the Little Saskatchewan River.

That your petitioners are all opposed to such extension, or to any extension whatever westward of the present limits of that Province, and view with alarm the provincial system of selling poisonous alcohol to the Indians, as practised by that Province;

That the Provincial Government of Manitoba retard the settlement of their own Province for the want of roads and bridges, and by various local laws and reservations, and the ninety thousand dollars subsidy per annum from the Dominion Government to the Province is utterly a waste of public money, as not one cent of it is expended in opening up the Province or the North-West Territory;

That a Government that requires such a large subsidy, without making railroads, roads or bridges in such a rich Province, are both morally and physically a drag against the development of the resources of the North-West, and whilst thus unable to develop the resources of their own Province, we fear a like system would retard the development of this great and good country, and therefore we respectfully request the Dominion Government not to grant such extension westward, as now desired by the Provincial Government of Manitoba;

That your petitioners respectfully request the Dominion Government to bridge the Little Saskatchewan River, and few other dangerous creeks, on the present mail route, from Winnipeg to here, and westward;

That your petitioners would also bring to your notice the just claim that exists in this part of the North-West Territory being represented in the Dominion Parliament, and also in the council of the North-West Territory. This will meet the views of the people for a year or two, and until it becomes a new Province;

That a weekly mail is needed very much from Winnipeg to the Little Saskatchewan River post office;

That your petitioners are all anxious respecting the Canadian Pacific Railway, and hope the original line south of Manitoba Lake will be made, as approved by your own Government, at the then period, this being the shortest and less expensive in construction; the land is all good, and people are locating fast, and no danger from flood or snow, and the gradients are easy on the fourth correction line;



Whereas the north route (known as Fleming and MacKenzie), has many drawbacks, namely the breadth and depth in crossing the narrows of the Manitoba Lake, resting on a shifting subsoil of sand, and in April and May this part is submerged, and becomes a vast inland sea for a short period. The route is longer and colder, and the land is not so good, with more snow, and no settlers, besides the swampy, alkali nature of the soil, has been the cause of it not being located like the south and west.

Respectfully requesting your kind consideration, and order to be done what you may deem right or just, and your petitioners, as in duty bound, will every pray.

C. M. Cameron,  
R. A. Cowan,  
Hall Jackson,  
T. H. Jackson,  
C. J. Johnson,  
William Gibson,  
Samuel Gibson,  
Stewart Gibson,  
James Jackson,  
Joseph Lowry,  
Duncan McLeod,  
Thomas R. Jackson,  
John Jackson,  
Thomas Jury,  
Alexander Porter,  
Peter M. Cudhie,  
James Proven,  
James Cudhie,  
Thomas Pollon,  
John Cudhie,  
James H. Cole,  
Thomas Walsh,  
Capt. G. M. Maunsell,  
Samuel Boyd,  
Archibald McDougall,  
Neil Murchison,  
Donald McDougall,  
James McPherson,  
Hugh McPherson,  
Kenneth Murchison,  
Malcolm K. Murchison,  
William Murchison,  
John Wilson,

Malcolm J. Murchison,  
Patrick Burns,  
Peter Blatchford,  
Alexander Moynes,  
James Miller,  
William Yale,  
John Logan,  
Thomas Logan,  
James Yeoman,  
George Campbell,  
Hugh H. Sanderson,  
Thomas Cawford,  
William Boyd,  
Fred. L. Shaver,  
J. McKinnery,  
James Halliday,  
William Abel,  
Edward Delmage,  
John Souster,  
Thomas Ryan,  
J. H. Inkster,  
N. H. Bingham,  
John H. Reid,  
Robert Anderson,  
H. G. Henderson,  
Charles Millham,  
George Sanderson,  
James Sinclair,  
T. D. Harrison,  
Henry J. Jones,  
W. H. Gosbutt,  
Morgan Thick,  
John Buchanan.

The Hon. Sir JOHN A. MACDONALD, Minister of the Interior,  
Dominion of Canada.

#### MEETING AT RAPID CITY, LITTLE SASKATCHEWAN, NORTH-WEST TERRITORIES.

1st. A public meeting of the inhabitants of Rapid City and vicinity was held at the store of Messrs. Garrett and Ferguson, on the afternoon of Saturday the 4th instant, for the purpose of obtaining the views of the settlers with reference to the proposed extension of the boundary of Manitoba westward. Mr. A. R. McDougall was appointed chairman, and Mr. Peter Ferguson secretary.

The following resolutions (which were supported by the movers and seconders, and others, in vigorous and energetic speeches) were carried unanimously:—

Moved by Mr. McDougall and seconded by Mr. Borland,

That whereas the people of the Province of Manitoba are agitating, through the public press and otherwise, to have the boundary of the said Province extended further westward,

Resolved, That we most earnestly protest against the extension of the boundary of the said Province any further west, and against our being annexed thereto.

2nd. Moved by Mr. Martin and seconded by Mr. Kilburn,

That when we selected our homesteads in the North-West Territory (away from churches, schools, mills, and many other advantages which we might have enjoyed had we settled in the Province of Manitoba), we were mainly influenced by the fact that we were settling in a part of the country where the traffic in spirituous liquors was strictly prohibited.

3rd. Moved by Mr. Paton and seconded by Mr. Barland,

That it would be unfair and unjust to force us now into a Province in which the manufacture and sale of spirituous liquors is freely permitted, thereby exposing our families and ourselves to the very evil we sought to evade in coming to this Territory.

4th. Moved by Mr. Garrett and seconded by Mr. Johnson,

That to permit the manufacture, sale or traffic in intoxicating liquors in this Territory would be disastrous to its best interests, would demoralize and degrade the Indian population, would seriously endanger the peaceful relations that exist at present betwixt the white settlers and the Indians, and thereby render unsafe the lives and property of the white settlers, and, as a consequence, impede the settlement and progress of the country.

5th. Moved by Mr. McCusker and seconded by Mr. Peter Garrett,

That a humble petition, in accordance with the foregoing resolutions, be forwarded to His Excellency the Governor General in Council and to both Houses of Parliament, praying that any Bill which may be introduced into either House, having for its object the extension of the boundary of the Province of Manitoba westward, may not pass.

6th. Moved by Mr. Shanks and seconded by Mr. Ferguson,

That a committee be appointed to confer with the different settlements in the Little Saskatchewan district, with a view to having the said settlements erected into a provisional district for municipal and school purposes.

7th. Moved by Mr. Kilby and seconded by Mr. Near,

That we, the residents of Rapid City and surrounding country, do suffer great loss and inconvenience by the present mail arrangement, and hope the Government may soon see fit to grant us a weekly mail and post office, to which, from the large amount of mail matter sent from and received at this place, we feel we are fully entitled.

8th. Moved by Mr. Kilby and seconded by Mr. Gilpin,

That copies of the resolutions passed be forwarded for insertion to the *Battleford Herald*, *Free Press*, *Standard*, *Toronto Globe* and *Mail*, and also that copies be sent to Lieutenant-Governor Laird.

RAPID CITY, 4th January, 1879.

#### LITTLE SASKATCHEWAN, N. W. TERRITORY:

SIR,—At a meeting of the settlers of the Little Saskatchewan district, N.W.T., held at the residence of Mr. A. Jaffrey on the 20th of September, 1878, Alexander Jaffrey, Esq., J.P., was appointed chairman, and R. A. Cowan, secretary.

It was moved by Mr. John Norquay, seconded by Mr. Alexander Cameron, that the resolutions passed by the settlers of the Riding Mountain and Beautiful Plain districts, N.W.T., be endorsed by this meeting, which is as follows:—

That the settlers of this district, understanding that it is the intention of the Dominion Government to extend the limits of the Province of Manitoba westward, solemnly protest against being incorporated with that Province, on the ground that they have taken up homesteads in the North-West Territory in the belief that the entrance of strong liquors would be for ever utterly prohibited, and they are averse to being incorporated with a Province in which the liquor trade is authorized.—

Carried.



Hoping you will use your influence in favor of the many settlers of this North-West,

I remain, your humble servant,

R. A. COWAN, *Secretary.*

Hon. Minister of the Interior.

GOVERNMENT HOUSE, FORT GARRY, MAN., 2nd March, 1877.

SIR,—I have the honor to enclose you, for the information of the Privy Council and yourself, two certified copies of Acts passed by the Legislature of Manitoba, and which I sanctioned at the prorogation yesterday.

1st. The first, relating to the boundaries of the Province, has been passed in compliance with your views, as embodied in your despatch of 16th February last, and, as you will observe, consents to the alteration of the boundaries, but stipulates that the unsurveyed portions of the eastern and northern boundaries shall be surveyed. These amount, I believe, to about one hundred miles.

2nd. The second deals with the half-breed claims.

It leaves transactions covered thereby to be regulated by the Act of Manitoba of 1873, 37 Vic., chap. 44, and it does not interfere in any way with transactions between the 27th February, 1874, and the coming into force of the present Act.

The Act provides that any sales of these lands after the 1st July next shall be valid.

I trust that before that period the allotments of these lands will have proceeded towards completion, and those drawn will have been announced.

I may advise you that the drawings in those parishes where there is no cause for interruption are being proceeded with under my supervision, from time to time, as the Dominion land agent can make it convenient, in connection with his other duties, to attend at my office for the purpose.

The following parishes have been drawn for :—

Kildonan,  
Portage la Prairie,  
St. Laurent,  
St. Johns,  
St. Ann,

and the drawing for Headingly is now being proceeded with.

I have the honor to be, Sir, your obedient servant,

ALEX. MORRIS, *L.G.*

Hon. Secretary of State, Ottawa.

22nd February, 1879.

Passage of Bill will not be held to change present condition of Province, as regards possible chances of future enlargement.

D. MILLS.

To Hon. R. A. DAVIS, Winnipeg.

(By Telegram from Winnipeg, Manitoba.)

OTTAWA, 21st February, 1877.

Have introduced Bill; Council and Legislature understand boundaries only temporary, and not to affect contemplated enlargement of the Province.

R. A. DAVIS.

Hon. DAVID MILLS, Minister of Interior.

(By Telegram from Winnipeg, Manitoba.)

OTTAWA, 20th February, 1877.

Bill received. We can only pass consulting measure to your repeal. Council will modify accordingly, but unsurveyed portion of eastern and northern boundary,

in all ninety-nine miles, must be completed to render Bill effective, and we stipulate for that.

R. A. DAVIS.

Hon. DAVID MILLS, Minister of Interior.

Please correct Bill sent you in following particulars: Substitute 12th range, west, for 11th range, west, wherever latter occurs.

DAVID MILLS.

Hon. R. A. DAVIS, Winnipeg.

*COPY of a Report of a Committee of the Honorable the Privy Council, approved by His Excellency the Governor General in Council on the 12th February, 1877.*

On a memorandum, dated 10th February, 1877, from the Hon. the Minister of the Interior, reporting that in order to carry out the provisions of section 18, of the Act 37 Vic., chap 19, it is expedient to effect a readjustment of the boundaries of the Province of Manitoba;

That by the Act 33 Vic., chap. 3, the boundaries of the said Province were declared to be the 96th Meridian west of Greenwich on the east; the 99th Meridian on the west; and the parallel of 50 degrees and 30 minutes north latitude on the north; the southerly limit being the international boundary or 49th parallel of north latitude;

That the boundaries so declared have not been defined on the ground, and in view of the possible extension thereof it is not thought desirable to incur the considerable expense which would be involved in such a measure. That, moreover, the present boundaries, if surveyed, would operate most inconveniently, as the same would throughout intersect irregularly the sections and quarter-sections as surveyed and proposed to be patented, thereby involving the necessity of double registration;

That under the circumstances, and as a measure intended to meet the necessities of the case, he recommends that in accordance with the provisions of section 3 of the Imperial Act 34 and 35 Vic., chap. 28, legislation be obtained repealing the existing provisions respecting the boundaries, and establishing in lieu thereof certain limits, which may be described in general terms as follows (the same being known township boundaries in the system of survey of Dominion lands), that is to say:—

On the east, the line between the 10th and 11th ranges east of the Principal Meridian; on the west, the line between the 12th and 13th ranges east of the Principal Meridian; and on the north, the line between townships 17 and 18, the international boundary remaining, as before, the southern boundary of the Province.

He suggests, therefore, that the Government of Manitoba be invited to obtain the consent of the Local Legislature, with the view to a readjustment of the boundaries of the Province, as herein proposed.

The Committee submit the above recommendation for Your Excellency's approval.

Certified.

W. A. HIMSWORTH, C.P.C.

Hon. Minister of the Interior.

13th February, 1877.

Both boundaries to be moved west in each case on to nearest township line. East boundary to be line between 10th and 11th ranges east of meridian. West boundary to be line between 12th and 13th ranges west. Better introduce Bill in blank and await, if possible, receipt of measure, mailed last Friday, as language must be same in both.

DAVID MILLS.

Hon. R. A. DAVIS, Winnipeg.

9th February, 1877.

Purport of Act set forth in message of yesterday. Copy of Bill sent by mail to-day.

DAVID MILLS.

Hon. R. A. DAVIS, Winnipeg.



9th February, 1877.

I see no objection to your proposal. Will seek approval of Legislature. Fear Bill will not reach here in time. Telegraph its purport.

R. A. DAVIS.

Hon. D. MILLS, Winnipeg, Man.

8th February, 1877.

The boundaries of Province fixed by Manitoba Act were never surveyed. It is now proposed, as a temporary measure to prevent possible clashing of jurisdiction in registration and other matters, to pass short Bills establishing certain known lines as boundaries, as follows: For west boundary line, between 12th and 13th ranges; for east boundary line, between 10th and 11th ranges; for north boundary line, between Townships 17 and 18. If your Legislature consents (see Act 34 and 35 Vic., chap. 28) will transmit Bill with reply.

DAVID MILLS.

Hon. R. A. DAVIS, Winnipeg.

EXTRACT of a Report of a Committee of the Honorable the Privy Council, approved by His Excellency the Governor General in Council on the 8th April, 1880.

The Committee have had under consideration a report submitted by the sub-committee of council, to whom was referred the memorandum dated 20th March, 1880, of the Delegates of the Province of Manitoba appointed to confer with the Privy Council of Canada in relation to the following subjects:

\* \* \* \* \*

2. Withdrawal of capital.

3. Enlargement of the Provincial boundaries.

\* \* \* \* \*

8. The settlement of claims made by certain parties to lands as being held previous to transfer to the Dominion.

\* \* \* \* \*

The Committee concur in the report of the sub-committee, and submit the same for Your Excellency's approval.

Certified.

J. O. COTÉ, C.P.C.

Hon. the Minister of the Interior.

EXTRACT from the Report of the Sub-Committee.

\* \* \* \* \*

2. The withdrawal of capital—

The undersigned recommend, for the reasons stated in the memorandum of the delegates, that the Province of Manitoba be allowed to withdraw \$100,000 of the capital authorized for it under the terms of the union with the Dominion, such withdrawn capital to be applied, as suggested by the delegates, "to provide at once for a system of drainage for the reclamation of marsh lands, and to protect lands (usually considered dry) from the overflow of marshes"—the plan and system of drainage to be approved of by the Dominion Government.

And as regards lands belonging to the Dominion now submerged, and which may be drained by the system contemplated by the Province of Manitoba, the undersigned recommend that in all cases where the Minister of the Interior is satisfied that a township of land in Manitoba, belonging to the Dominion Government, is useless, by reason of the lands being submerged, but which, if drained, would form agricultural lands, he shall certify the same to the Government of Manitoba, and that if such township is thereupon included in the system of drainage approved of by the Dominion Government, and is, in consequence, rendered available for sale, the Dominion Government should make a free grant to the Province of Manitoba of the even-numbered sections of land within the township in question, with the exception of those even-numbered sections that are Hudson Bay or school lands.

3. Enlargement of the provincial boundaries. This question is, with the consent of the delegates from Manitoba, postponed for consideration during the recess.

3. The claims referred to are those of parties who held lands in Manitoba previous to the transfer of that Province to the Dominion, and are known as "stake" claims, being lands held in nominal possession, only verified by the driving of stakes at the angles, as the sub-committee understand, according to a custom subsisting in the Red River settlement (now Manitoba) anterior to the Union.

This custom, although tolerated in the Red River settlement, was used with reference to hay and other outlying lands, and upon the question being submitted to the Minister of Justice, that officer was of opinion that the claims were illegal and could not be recognized, the facts not constituting occupation in the meaning of the Manitoba Act.

The whole respectfully submitted.

A. CAMPBELL, *Chairman.*

J. H. POPE,

G. BABY.

PRIVY COUNCIL, 8th April, 1880.

The Hon. Mr. Norquay, from the select committee appointed to prepare and report an Address to Her Most Gracious Majesty the Queen, on the subject of the boundaries of the Province, reported an Address, which was read, and is as follows:—

*To the Queen's Most Excellent Majesty:*

MOST GRACIOUS SOVEREIGN,—We, Your Majesty's most dutiful and loyal subjects, the Legislative Assembly of the Province of Manitoba in session assembled, humbly beg leave to approach Your Majesty for the purpose of representing,—

That whereas, by 44 Vic., chap. 14, of the statutes of Canada, intituled: "An Act to provide for the extension of the boundaries of the Province of Manitoba," it was enacted that the said boundaries of the Province of Manitoba should be as follows:—

Commencing at the intersection of the international boundary dividing Canada from the United States of America, by the centre line of the road allowance between the 29th and 30th ranges of townships lying west of the 1st Principal Meridian in the system of Dominion land surveys, thence northerly, following upon the said centre line of the said road allowance, as the same is or may hereafter be located, defining the same range line on the ground across Townships 1 to 46, both inclusive, to the intersection of the said centre line of the said road allowance by the centre line of the road allowance on the 12th base line in the said system of the Dominion land surveys, thence easterly along the said centre line of the road allowance on the 12th base line, following the same to its intersection by the easterly limits of the district of Keewatin, as defined by the Act 39 Vic., chap. 21; that is to say, to a point where the said centre line of the road allowance on the 12th base line would be intersected by a line drawn due north from where the westerly boundary of the Province of Ontario intersects the aforesaid international boundary line dividing Canada from the United States of America, thence due south, following upon the said line to the international boundary aforesaid, and thence westerly, following upon the said international boundary line dividing Canada from the United States of America to the place of beginning.

And whereas, by the Act 44 Vic., chap 1, of the statutes of Manitoba, the consent of the Province of Manitoba was obtained thereto.

And whereas the eastern boundary of the Province of Manitoba has never been more accurately defined than as provided by the description given in the said recited Acts, which declare that the same shall be co-terminous with the western boundary of the Province of Ontario.

And whereas it is expedient, in the interest of justice and good government, that all doubts should be removed as to the legislative and judicial authority of the



Legislature and courts of the Province of Manitoba in regard to such territory as lies between the eastern boundary of Manitoba, as it existed previous to enlargement, and the western limit of the Province of Ontario.

Therefore, the Legislative Assembly of the Province of Manitoba, in Session assembled, beg leave to respectfully request, that

Your Majesty will be graciously pleased to direct that the said boundary between the Provinces of Ontario and Manitoba, as defined by 44 Vic., chap. 14, of the statutes of Canada, may be so determined and described as to remove all doubts in the premises.

The Address having been read the second time, was agreed to.

Ordered, That the Address be engrossed.

Resolved, That an humble Address be presented to His Honor the Lieutenant-Governor, informing His Honor of the foregoing Address to Her Most Gracious Majesty.

Mr. Harrison, from the said committee, reported an Address, based on the foregoing resolution, which was read, and is as follows :—

To His Excellency the Right Honorable Sir John Douglas Sutherland Campbell, (commonly called the Marquis of Lorne), Knight of the Most Ancient and Most Noble Order of the Thistle, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Governor General of Canada, and Vice-Admiral of the same, &c., &c., &c.

MAY IT PLEASE YOUR EXCELLENCY :

We, Her Majesty's dutiful and loyal subjects, the Legislative Assembly of the Province of Manitoba in session assembled, beg to represent to Your Excellency in Council,—

1. That very great hardship and loss has been sustained by the farmers and settlers in the region contiguous to Lake Manitoba, by reason of the constant rise and overflow of said lake, and that they deem it of the utmost importance that the work of excavation necessary to lower the level of the said lake, contemplated by the Federal Government, be proceeded with vigorously, so that a recurrence of the overflow be guarded against in future.

2. That the Legislative Assembly humbly represent to Your Excellency that they deem the present season a very favorable one to prosecute said necessary work of excavation.

3. That the expenditure involved in such work would be of vast benefit at this time of stringency of the money market, and for this reason the work would cost less to the Government, while the outlay required would be of greater benefit than at a more prosperous time.

4. That it is believed that sufficient land may be reclaimed to make the work of reclamation a remunerative one to the Government, or that private capital and enterprise would be called into use in accomplishing the proposed work without any expense to the Government, which, while it would furnish a profitable means of investment for the necessary capital, with profit to the investors, would give the settlers in the neighborhood the immunity they so earnestly require.

They therefore pray that Your Excellency would cause to have the necessary work of excavation made either as a Government work or otherwise.

The Address having been read the second time was agreed to.

Ordered, That the Address be engrossed.

The Hon. Mr. Norquay moved the following resolution, seconded by the Hon. Mr. Larivière :—

That it is the opinion of this House it is expedient, in the best interests of the Dominion and of this Province, that a convention of delegates, composed of members of the Executive Councils of the several Provinces of Canada, be asked to take into consideration the best means to be adopted to secure an equitable application of the general provisions of the B. N. A. Act to the different Provinces forming the Dominion, and to submit such amendments to the constitution as experience may suggest, with a view to secure a greater harmony in the legislative jurisdictions of the Federal

and Provincial Legislatures respectively, and also such a rearrangement of the sources of revenue as will render uniform the basis upon which subsidies are granted to the Provinces.

And a debate having arisen.

On motion of the Hon. Mr. Norquay, seconded by the Hon. Mr. Larivière.

Resolved, That the debate be adjourned till Friday next.

The Order of the Day for resuming the adjourned debate on the following resolution :—That it is the opinion of this House it is expedient, in the best interest of the Dominion and of this Province, that at a convention of delegates, composed of the members of the Executive Councils of the several Provinces of Canada, be asked to take into consideration the best means to be adopted to secure an equitable application of the general provisions of the B. N. A. Act to the different Provinces forming the Dominion, and to submit such amendments to the constitution as experience may suggest, with a view to secure a greater harmony in the legislative jurisdictions of the Federal and Provincial Legislatures respectively, and also such a rearrangement of the sources of revenue as will render uniform the basis on which subsidies are granted to the Provinces.—Hon. Mr. Norquay.

The debate thereon was resumed.

And after some time,

The resolution having been put, was carried unanimously.

The Hon. Mr. Brown presented to the House, as ordered, correspondence between the various municipal councils of the Province and the Department of Public Works, relating to certain grants to municipalities to aid in the construction of bridges.

The Hon. Mr. LaRivière presented to the House, as ordered, report of James A. Miller, Esquire, Q. C., to date, as commissioner appointed to investigate into the conduct of William Leggo, Esquire, Master in Equity, in respect to the administration of infant estates, &c.

Mr. Wagner, from the select committee appointed to draft an Address to His Excellency the Governor General, on the subject of the establishment of an agricultural college in this Province, reported—

That they had drawn up an Address accordingly, and the same was read, as follows :—

To His Excellency the Right Honorable Sir John Douglas Sutherland Campbell (commonly called the Marquis of Lorne) Knight of the Most Ancient and Most Noble Order of the Thistle, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Governor General of Canada, Vice-Admiral of the same, &c.

#### MAY IT PLEASE YOUR EXCELLENCY :

We, Her Majesty's dutiful and loyal subjects, the Legislative Assembly of the Province of Manitoba in session assembled, beg leave to approach Your Excellency for the purpose of representing,—

That the Province of Manitoba and the North-West Territories are strictly agricultural countries.

The working of farms, either on large or small scales, vastly differs from the system at present adopted in the older Provinces of the Dominion.

A system more based on science has to be pursued, if this great granary of the world shall become what Providence has destined it to be.

Daily experience in Manitoba shows that a lack of instruction is felt, not only by settlers coming in from the older Provinces, but also by young men who, desiring to cast their lot amongst us and not finding a public institution, fall into the hands of unscrupulous men, whose only aim is to extract money from their unsuspecting victims, without any power on the part of the Government of this Province to put a stop to the perpetrations of such iniquitous transactions.

We are of opinion it is necessary to establish an institution in which, first to give theoretical and practical instruction in husbandry to young men who intend to



follow either general mixed farming, start farming, gardening or tree planting in all its branches; and secondly, to conduct experiments tending to the solution of questions of importance to the farming communities, and to publish the results from time to time.

Such an institution will not only be of vast benefit to the Province of Manitoba, but also to the remainder of the North-West Territories.

We would further represent that the Government of the neighboring Republic, feeling the necessity of such colleges, have donated, out of the Federal lands, towards the support of these institutions, a certain amount of these lands.

We therefore humbly pray that Your Excellency may be pleased to be caused to be set aside enough of the lands of the domain of the Dominion of Canada in the various Provinces of the North-West to help to maintain such schools to be erected in the Province of Manitoba, and to grant, for the purpose of the erection of such schools, a sum of money sufficient for the maintenance of such a farm, and thereon to erect necessary buildings and to stock the same sufficient to enable this institution to be conducted in a manner adapted to the importance of the subject in the interests of agriculture.

The said Address being read a second time, was agreed to.

Ordered, That the said Address be engrossed and signed by Mr. Speaker.

## PROVINCES GENERALLY—INCREASE OF SUBSIDY.

### RETURN

(119)

To an ADDRESS of the HOUSE OF COMMONS, dated 19th March, 1883;—For copies of correspondence from 1st July, 1867, to this date, between the Dominion Government and the several Provincial Governments of the Dominion, respecting the claims of each of the said Provincial Governments against the Dominion for the repayment of sums expended by the Provinces on account of the Dominion, for the administration of justice in the several Provinces; that is to say, for the arrest, trial, conviction and maintenance of persons guilty of violating the Criminal Law.

2. A Statement in detail of the claims settled, the date of settlement, the sums paid, and the names of the Provinces to which the payments were made.

By Command.

HECTOR L. LANGEVIN,

Department of the Secretary of State,  
16th May, 1883.

*Acting Secretary of State.*

DEPARTMENT OF JUSTICE, OTTAWA, 16th May, 1883.

1. Copies of the correspondence between the Dominion Government and the Government of the Province of New Brunswick, upon the subject of the maintenance of prisoners sentenced for a shorter term than two years.

2. The only payments to any Province were those made to the Province of Prince Edward Island, the details of which will be found in the return to the Address of the House of Commons, dated the 15th March last, and asking, amongst other things, for all correspondence, reports, Orders in Council, and all other documents relating to any claim made by the Provincial Government of Prince Edward Island, in connection with the maintenance of short-term prisoners in that Province since its admission to the Union.

3. There was a despatch dated 13th December, 1869, received from the Lieutenant-Governor of Nova Scotia, submitting the opinion of his Attorney-General, that the

Dominion Government is liable for all expenses of criminal prosecution. No action was taken in respect of this communication. The despatch itself, after a careful search, cannot be found. There is no other correspondence in this Department upon the subject mentioned in the Address.

A. POWER, for Deputy Minister Justice.

*The Deputy Minister of Justice to the Provincial Secretary of New Brunswick.*

OTTAWA, 3rd February, 1880.

SIR,—As you are probably aware, an Order in Council has been passed by this Government, authorizing the Department of Justice to enter into communication with the New Brunswick Government for the purpose of agreeing on a case to be submitted to the Supreme Court, in order that the decision of that court may be obtained with reference to the authority of the Parliament of Canada to legislate respecting the reception of short-term prisoners in the St. John (N.B.) penitentiary, the action which may be taken to be reported to Council for further order.

As the Supreme Court will hold a sitting, commencing on the 17th instant, and as the removal to Dorchester will take place this spring or early in the summer, it is very desirable that the opinion of the court should be obtained at its coming sittings.

The case to be submitted for the opinion of the court would, I presume, consist merely of a reference to the various statutes relating to the subject, passed in the late Province of New Brunswick, before Confederation, to the British North America Act, 1867, and to the statutes of Canada passed since Confederation, and to any other statutes or laws bearing upon the general question to which the court or the parties might desire to refer.

The various statutes are referred to in my report of 29th December, 1878, which you have, I believe, already seen, and of which, for convenient reference, I enclose a printed copy. If you agree with me respecting the contents of the case to be submitted to the Supreme Court, I will prepare and send you a draft thereof.

If you have any suggestions to make in the matter, I shall be glad to hear from you at an early date.

I have the honor to be, Sir, your obedient servant,

Z. A. LASH, D.M.J.

Hon. Provincial Secretary, St. John, N.B.

*From G. E. King, Counsel for New Brunswick.*

**MEMORANDUM for the Minister of Justice on the proposed case relating to the care of short-term prisoners.**

I regret that I have not been able, in the interviews I have had with the Minister and with Mr. Lash, to obtain concurrence in such proposed alterations in the printed case as would secure a decision of the court upon questions which are thought by the Government of New Brunswick to be in difference. In a letter I, some time ago, addressed to the Secretary of State, on behalf of the Government of the Province, it was in effect maintained:

1st. That under the Act of Union it is the constitutional duty of Canada to care for all prisoners punishable under the criminal law of Canada, whether sentenced for two years or under.

2nd. That whatever may be the liability of Canada in the above respect as to the Dominion at large, there is, in respect of all prisoners sentenced to imprisonment with hard labor, in the Province of New Brunswick, irrespective of the term of sentence, an obligation upon Canada to provide for such prisoners in the penitentiary or Dominion prisons, because at the time of Union the penitentiary, as it then existed in the Province, was, in fact and in law, an institution where all such prisoners might be confined.

3rd. That Canada is liable to provide for the maintenance in the St. John or other Dominion penitentiary of all criminal prisoners sentenced in the city and county of St. John, to short terms of imprisonment, because an agreement to that



effect formed part of the terms on which the Province originally acquired the penitentiary from the municipal authorities.

These several positions have been denied by the Dominion, and I think that they should all be raised by the case proposed to be submitted to the court. As bearing upon the third of the above questions, I think that the court should be at liberty to draw inferences of fact from the statements set out in the case.

The alleged contention of New Brunswick, as set out in the printed case, at lines 282-287, does not adequately represent what is contended for. This part of the case might properly be amended by adding the words "or at all events that there is an obligation on the Dominion to receive or maintain such class of prisoners." I also think that the second question in the printed case might well be struck out, and the following substituted, viz : (2.) Is there any obligation, and if so, of what nature and to what extent, upon the Dominion, to make provision for imprisonment in the penitentiary, or for the maintenance of the class of persons who, before the 1st July, 1867, might have been sentenced to the provincial penitentiary under the laws then in force?

(3.) Is it the duty of the Dominion to provide for the imprisonment in the penitentiary, or for the maintenance of that class of prisoners in the city and county of St. John, who, before the Union, might, under the laws then in force, have been sentenced to any term of imprisonment in the provincial penitentiary?

On the 7th instant, when leaving for Ottawa, I learned that the Government of Canada could not accede to the suggestion previously made, that these questions should be referred. It seems to me very desirable to cover the whole ground of dispute, and to seek from the court conclusions which may serve as a guide to legislation or action by the respective authorities in dealing with the subject.

The Parliament of Canada has assumed to define the terms "penitentiary" and "prison," as used in the Act of Union, in the distribution of the powers of the Parliament and Legislatures.

The question as to the proper meaning of the words "penitentiary" and "prison" as so used, might, I think, be well left as one of the questions for the opinion of the court.

The Parliament of Canada having also provided for the restriction of admission to Dominion prisons or penitentiaries, the question of the obligation or constitutional duty of the Dominion to provide, in its own prisons or penitentiaries, for criminal prisoners undergoing punishment, might also be left for the opinion of the court, and this both generally and as affected by the state of the law and facts existing in New Brunswick at the time of the Union, as set out in the case.

And the Parliament of Canada having enacted that persons sentenced to imprisonment, with or without hard labor, for a term less than two years, shall be imprisoned in the prisons under provincial control, the question should be left to the Court whether it is competent to the Parliament to do so, at least without the consent of provincial authorities, or without thereby making such prison, as to this, a prison under Dominion control; and whether a prisoner committed to a provincial prison under sentence from a criminal court to imprisonment with hard labor, could be legally retained in prison; or whether in such case, the punishment of hard labor could be enforced; and also whether the Provincial Legislature has power to establish, regulate and manage prisons used for such a purpose, or to enforce the execution of such a sentence.

The general question might, perhaps, also be submitted, whether it is the part of the Dominion or the Province to make provision for the execution of the punishment of the criminal-prisoners imprisoned with hard labor, or otherwise, irrespective of the length of term, and what are the respective obligations of the Dominion and the Province in respect thereto under the constitution. The argument having been postponed yesterday, with a view to a possible agreement upon the terms of the questions, I should hope it may be possible so to alter or add to the case as to secure the opinion of the court on most or all of the questions referred to.

The Government of the Province are of opinion that the case, as it stands, does not contain a full presentation of their views, and in taking part in the argument I must not be supposed as waiving objections to the case.

G. E. KING, *Counsel for Province of N.B.*

3th April, 1880.

*From J. C. Aikins, Secretary of State for Canada.*

OTTAWA, 8th July, 1880.

SIR,—With reference to your predecessor's despatch of the 25th October, 1879, and to the copy of the Minute of Council therein enclosed, upon the subject of the prisoners in the St. John penitentiary sentenced to a term of less than two years, I have the honor to transmit to you herewith, for the information of your Government, a copy of the opinion of the Supreme Court of Canada in reference to the question.

I have, at the same time, to request that, as the contemplated removal from St. John to the penitentiary at Dorchester will take place not later than the 15th instant, your Government will, before that date, make the necessary provisions for the imprisonment and charge of prisoners whose sentences are, or may be, less than two years.

I have the honor to be, Sir, your obedient servant,

J. C. AIKINS, *Secretary of State.*

His Honor Lieutenant-Governor of New Brunswick, Fredericton.

(Received at Fredericton 13th July, 1880).

OTTAWA, 21st June, 1880.

Hon. J. J. FRASER, Fredericton :

Opinion of Court in special case just received ; it upholds contention of this Government ; we expect to remove to Dorchester 1st July.

\* JAS. McDONALD.

OTTAWA, 14th July, 1880.

I am directed by the Minister of Justice to inform you that the warden of the St. John penitentiary has been instructed not to receive in that penitentiary prisoners whose sentences are less than two years. To prevent miscarriage of justice, I would suggest your notifying judges and magistrates accordingly, in order that they may not sentence prisoners to that penitentiary.

Z. A. LASH, *Deputy Minister Justice.*

Attorney-General, Fredericton.

FREDERICTON, 16th July, 1880.

Think our Government without legislative provision or power in the premises, it will meet you in St. John next week and discuss the matter. If the Minister of Justice opens the doors of St. John penitentiary by proclamation or otherwise, the responsibility must be his ; he cannot make it that of the Local Government. The Deputy Minister was informed by me that we had not legislated for reasons stated ; could regret premature action and its consequences.

I have the honor to be, Sir, your obedient servant,

JNO. JAS. FRASER.

Hon. S. L. TILLEY, St. Andrews.

*From Government of New Brunswick.*

OTTAWA, 7th February, 1883.

SIR,—It becomes our duty again, on behalf of the Province of New Brunswick, to bring under your consideration, and, through your Department, to the consideration of His Excellency the Governor General in Council, the unsatisfactory state,



from a provincial standpoint, of the question of maintenance of short-term prisoners so called, or, in other words, those convicted and sentenced to imprisonment under two years, under the criminal laws of Canada.

This subject is one that has for some years engaged the attention of both Governments, and the practically serious results of the present position render it most important that the relative duties of the respective Governments should be fully settled and determined without delay. We submit that the administration in our Province of the criminal laws of the Dominion demands that it shall not longer remain as heretofore, but that every proper means available shall be used to have it determined, in order that if the burthen properly rests upon our Province such provisions may be made by legislation and otherwise as shall secure the maintenance of the prisoners at less cost to the local authorities than at present, and with less risk to the public health, as well as that of the prisoners, than can be secured under existing circumstances and present prison accommodation. It can, we apprehend, be readily perceived that the Provincial Government must hesitate to assume a heavy responsibility and large burthens upon their already limited revenue until that responsibility under the British North America Act is determined. However much we regret the unfortunate condition of offenders in the often overcrowded gaols, and all the resulting risks and expenses to the individual communities now as we believe improperly compelled to bear the burthens, yet it has been and still is felt that the responsibility is not rightly put upon us, and to assume and deal with it as if our liability was established would not be just to the Province nor consistent with a proper discharge of duty. When that obligation is legally determined to be ours it will not be shirked, but will be met and dealt with by every means in our power.

While we do not in this contend that it is not the duty of the provincial crown officers to prosecute those charged with offences under the criminal laws of Canada, we do submit that it is not our duty to execute the judgment of the court on those convicted under those laws, and to maintain them in prisons or penitentiaries while undergoing sentence; this, hitherto, has, notwithstanding continued protests, been forced upon our local authorities, and, to such an extent, that in some counties, and especially the city and county of St. John, the gaols are so crowded that at times from six to eight persons are necessarily confined in one cell; this not only involving great expense to the local authorities, but risk to the local as well as general health, as will appear by memorials from time to time pressed upon the consideration of both Governments.

As an additional reason why the responsibility of the Governments respectively should be legally determined, we submit that while under the British North America Act it is provided that the Provincial Legislature may make laws in relation to the "establishment, maintenance and management of public and reformatory prisons in and for the Province;" we would contend that this power is simply intended to provide for the punishment of offenders under our local legislation and municipal regulations, as provided by sub-section 15 of section 92 of that Act, and does not apply to offences or offenders under the criminal laws of Canada, but only to such subjects as our Legislature can "exclusively" deal with, and not such as the Dominion Parliament have power to legislate upon or in respect to. These provisions of that sub-section cannot, we submit, be held to extend our obligations to the complete providing and maintenance of a place of confinement wherein the Parliament of Canada can enact that convicts for less than two years (and if that power can specify that term they can as well define, five, ten or twenty years as the limit) shall be confined. If Parliament can establish a provincial prison, erected by the Province for offenders against merely local laws, as a place of imprisonment for offenders under the criminal laws of Canada, and how long prisoners can be kept therein, they certainly can define in what way they shall be kept, and at what, if any, employment, and all other the internal regulations for such prisoners; thereby practically negating and ignoring the word "exclusively," used in section 92, as defining the powers of provincial legislation in respect to the subject enumerated in the several sub-sections of

that section. If our contention in this respect is correct, and there seem to be other reasons which can be advanced to sustain it, it is at least a very doubtful question whether the Provincial Legislature have any power to enact laws, and thereby establish burthens upon municipalities and local authorities, and make provisions and regulations for the confinement, support and management of persons convicted under the criminal laws of Canada, and until the matter is decided by the proper tribunals the Legislature would hesitate to attempt it, or to make appropriations towards subjects which, in law, they have no power to deal with.

It has been the desire of the Government of New Brunswick, since the subject has been under discussion, that the liability as between the Dominion on the one hand and the Provincial Government and local authorities on the other, for the maintenance of the class of prisoners above referred to as "short-term," convicted under the criminal laws of Canada, and the maintenance of prisons for their confinement, should be determined by the Supreme Court of Canada, and that a case should be referred to that court for that purpose, and the contention thereby set at rest. After some negotiations, it was agreed that a case should be so referred, but upon the proposed case being submitted to the Provincial Government and their Council, it was found and objected that the case proposed would not raise the points actually in issue, and an endeavor was made to have it amended or considered and argued as involving the point, which, however, was objected to by the Deputy Minister of Justice, Mr. Lash, and in that respect not submitted; the result of which necessarily was that the court could not, and did not, deal with or determine the real contention between the Governments. This will abundantly appear by reference to the letters and memorandum of Mr. King, acting for New Brunswick, and other the papers submitted herewith. It is submitted that the question in difference is one of law depending on the construction of the British North America Act, and admitted circumstances and statutes existing before and at the time of Confederation. The issues are very important to the Province of New Brunswick, and, as we believe, to the administration of the criminal law of Canada in that Province, and have been some years in dispute between the Governments. We therefore would again most strenuously urge that a case be submitted to the Supreme Court, that will fairly and fully raise for argument and determination before and by that court (in the nature of advice to the Crown or otherwise) the important issues involved; that upon its being finally determined, such legislation as may be necessary shall be had to carry into effect what may thus be determined to be the obligations of either Government.

In conclusion, it may be advisable, though probably not necessary, to again express our hope that the proposition we now renew will be agreed to; but that should it not, and should the provincial and local authorities be compelled to incur expenses and meet burthens in this matter, which we contend and believe are not properly upon us, any such expenditure and responsibility must be considered to be compelled under our most earnest protest, and claim to be recouped when the points now in dispute are legally decided, as we believe they must ultimately be.

We have the honor to be your obedient servants,

D. L. HANNINGTON,  
P. A. LANDRY,  
E. McLEOD.

DEPARTMENT OF JUSTICE, OTTAWA, 21st February, 1883.

SIR,—I have the honor, by direction of the Minister of Justice, to acknowledge the receipt of a communication from yourself, the Provincial Secretary, and the Attorney-General of New Brunswick, regarding the question of the maintenance of short-term prisoners.

In reply, I beg to say that the matter shall receive early and full consideration.

I am, Sir, your obedient servant,

GEO. W. BURBIDGE, *Deputy Minister of Justice.*

Hon. D. L. HANNINGTON, Premier, Dorchester, N.B.



## MUNICIPALITY OF THE CITY AND COUNTY OF ST. JOHN,

OFFICE OF THE SECRETARY, ST. JOHN, N.B., 9th February, 1883.

SIR,—By direction of the council of the municipality of the city and county of St. John, I have the honor to enclose herewith the joint memorial of the said council and of the common council of the city of St. John, to His Excellency the Governor General, on the subject of the imprisonment of "short-term" convicts in this city and county; also, copy of a memorial to the Right Hon. the Earl of Dufferin, late Governor General, from the justices of the city and county, on the same subject; and I am to request you to lay these documents before His Excellency when you have opportunity.

I have the honor to be, Sir, your obedient servant,

H. W. FRITH, *County Secretary.*

Hon. Secretary of State, Ottawa.

*From the Municipal Council and Common Council of St John.*

*To His Excellency Sir John Douglas Sutherland Campbell, Marquis of Lorne, K. T., K. G., C. M. G., Governor General of Canada, &c., &c., &c.*

The joint memorial of the Council of the municipality of the city and county of St. John, and of the common council of the city of St. John, in the Province of New Brunswick—Humbly sheweth:

That your memorialists are desirous of placing before Your Excellency the state of facts connected with the administration of criminal justice in the said city and county of St. John, under the laws providing for the punishment of offenders sentenced by the Supreme and county courts to imprisonment for periods of less than two years, commonly known as "short-term prisoners." 1. Your memorialists beg leave to refer to the memorial of the justices of the peace of the said city and county on the same subject to Your Excellency's predecessor, Lord Dufferin, dated the 18th day of January, A.D. 1875, a copy of which your memorialists beg to submit herewith. The claims made on behalf of the said city and county in that memorial have been the subject of frequent negotiations between the representatives of the said city and county, and different members of Her Majesty's Privy Council for Canada have been, from time to time favorably entertained, and have never been withdrawn or satisfactorily disposed of.

2. At the date of said memorial, and subsequently up to the time of the opening of the Dorchester penitentiary, the claims of this city and county were so far recognized as that special provision was made by the Parliament of Canada for the reception of such "short-term prisoners" into the "St. John penitentiary," formerly known as the provincial penitentiary of New Brunswick.

3. Since the opening of the Dorchester penitentiary all such convicts are sent to and confined in the common gaol of the city and county of St. John, the St. John penitentiary having been entirely dismantled, and there being no other house of correction or prison available in the said city and county, or in the Province of New Brunswick.

4. The said gaol having been intended and built for the confinement of debtors and persons charged with crime and awaiting trial only, is comparatively small and totally unfit to be used as a place of punishment for convicts; the number of cells or rooms is only fourteen; the average number of inmates before the county was deprived of sending its minor criminals to the penitentiary was 25, while the average is now 60, rising at times to 70 and upwards.

5. It will thus be apparent to Your Excellency that the gaol must be, as in fact it very frequently is, entirely overcrowded; while, as there is no means for putting the inmates to hard labor, they become idle and disorderly, and crime is rather promoted than repressed by their confinement in such a building.

6. This condition of the gaol and of the law relating to "short-term" prisoners has been the subject of numerous presentments of grand juries; and has also been

frequently brought before the attention of the Provincial Government and authorities by your memorialists, and in other ways.

7. As yet, however, nothing has been done either by Your Excellency's Government or the Provincial Government of New Brunswick to remedy the evils to which this city and county has been and is subjected by the extinguishment without compensation of the right, long possessed, to send all its convicts to the provincial penitentiary.

8. Your memorialists are informed that one cause of the delay in attention being given to so serious a matter is that negotiations have been long pending between Your Excellency's Government and the Provincial Government of New Brunswick, involving also the application of the whole question of the Provinces at large.

9. Your memorialists humbly solicit Your Excellency's good office to bring such negotiations to such a termination, or to secure such steps being taken as will speedily relieve this city and county from a condition of things which has a tendency to detract from the dignity of justice and the terrors of the law, and which seriously affects the morals and threatens the health of the unfortunate class of men, women and children who are now the most frequent occupants of the gaol of this city and county.

In testimony whereof, the council of the said municipality of the city and county of St. John have caused the corporate seal of the said municipality, under the hand of the warden, to be hereunto affixed, and the common council of the said city of St. John have caused the common seal of the mayor, alderman and commonalty of the city of St. John, under the hand of the mayor, to be hereunto affixed, the second day of February, A.D. 1883.

C. A. ROBERTSON, *Warden.*

[LS.]

By order of the County Council,

H. W. FRITH, *Secretary.*

[LS.]

By order of the Common Council,

B. LESTER PETERS, *Common Clerk.*

S. JONES, *Mayor.*

*To His Excellency the Right Honorable the Earl of Dufferin, Viscount and Baron Clandeboye, of Clandeboye, K.P., K.C.B., &c., Governor General of Canada, &c., &c.*

The memorial of the justices of the city and county of St. John, in the Province of New Brunswick, in session—Humbly sheweth:

That in consequence of the city of St. John being a seaport, and the most populous town in the Province of New Brunswick, the said city and county of St. John is much more seriously affected than any other part of the Province by the legislation which has taken place since the confederation of the said Province with Canada and Nova Scotia, in reference to the penitentiary in New Brunswick, and by which it appears to be very shortly to exclude from such penitentiary all convicts sentenced for less than two years;

Your memorialists, therefore, respectfully beg to call Your Excellency's attention to the following facts in regard to the rights which this city and county separately and in common with the other counties of New Brunswick, has always hitherto had enjoyed in such penitentiary; that is to say:

1st. That the tract of land situate in the parish of Simonds, in the said city and county of St. John, upon which the prison known as the "St. John penitentiary" now stands, was, in the year one thousand eight hundred and thirty-eight, purchased by the said justices, for the purpose of erecting thereon a house of correction for the said city and county.

2nd. That between that period and the year one thousand eight hundred and forty-one, a stone building, which forms part of the penitentiary as it at present exists, together with a residence for the keeper, and other subordinate buildings, were erected by the said justices.



3rd. That in the year one thousand eight hundred and forty-one the Government and Legislature of New Brunswick feeling, as the Act says, the great benefit which would arise from extending the advantages of the institution to the whole Province caused an Act to be passed to authorize its sale and transfer to the Government.

4th. That consequently under and by virtue of the Act of Assembly of New Brunswick, fourth Victoria, chapter forty-four, from the said building so erected by the said justices with the tract of land and premises aforesaid were surrendered to Her Majesty the Queen, and then became and were used and known as the provincial house of correction, and subsequently as the provincial penitentiary of New Brunswick.

5th. That part of the terms of transfer made and agreed upon by and between the said justices and the Province of New Brunswick was the reservation to the said justices of the right in perpetuity to commit to the said house of correction or penitentiary all vagabonds, suspicious and disorderly persons within the said city and county, and the further right, in common with all the other counties of the Province, to cause all persons sentenced to imprisonment with hard labor and confined in the county gaol to be removed therefrom to the said house of correction or penitentiary, is, by reference to the fourteenth and fifteenth sections of the said recited Act, here following will more fully appear, that is to say:—

“14th. And be it further enacted that it shall and may be lawful for the mayor or recorder and the aldermen of the said city, or either of them, and Her Majesty's justices of the peace for the said city and county for the time being, or either of them, to take up and arrest, or by warrant to order to be taken up and arrested, all and any rogues, vagabonds, stragglers, idle, suspicious or disorderly persons within the said city and county, and to order such rogues, vagabonds, stragglers, idle, suspicious or disorderly persons to be committed to the said house of correction, there to remain and be kept to hard labor for any time not exceeding forty days.

“15th. And be it further enacted that it shall and may be lawful for the justices of the peace in and for any county or city and county of this Province in general sessions, or in any special sessions to be for that purpose held, to cause all prisoners sentenced to imprisonment with hard labor, and all vagrants, rogues, vagabonds, stragglers, and other idle, suspicious or disorderly persons at such time in confinement in the common gaol or workhouse of the said county, or city and county, under and by virtue of any conviction, to be removed from such common gaol or workhouse, and to be carried, conveyed and taken to the said house of correction, and to make such necessary orders and regulations for the carrying and taking, together with the necessary costs and charges of the same, as the said justices may seem fit; and the keeper of the said house of correction shall forthwith receive such person or persons into his custody; and the said person or persons, when so removed and placed in the said house of correction, shall remain there and be kept to hard labor until the several and respective terms of imprisonment shall expire.”

6th. That up to the time of the Confederation of the said Province the right thus reserved and secured to the said city and county were never questioned, but, on the contrary, were fully recognized and maintained in the year one thousand eight hundred and fifty-four by the Government and Legislature of the Province, as will appear by reference to the Revised Statutes passed in that year, chapter 91, sections 12, 13 and 14.

7th. That under and by virtue of the British North America Act, of the year one thousand eight hundred and sixty-seven, and a subsequent Act of the Dominion Parliament, namely, 21st Victoria, chapter 75, the institution and premises above mentioned passed over to the Dominion of Canada, and inadvertently, as your memorialists conceive, without any reference to the vested rights of the said justices and of the said city and county of St. John therein.

8th. That in 1869, by 32nd and 33rd Victoria, chapter 29, it was enacted that imprisonment for any term short of two years should be in a common gaol or some prison or place other than the penitentiary, but by section 96 of the same chapter the

Provinces of Nova Scotia and New Brunswick were exempted from the operation of his statute.

9th. That in the year 1870, by 33rd Victoria, chapter 30, this exemption was repealed, subject to the provisions that such repeal shall not take effect in the case of one-year convicts prior to the 1st day of May, 1873, and in the case of two-year convicts prior to the 1st day of May, 1874.

10th. That in the year 1873, by the 36th Victoria, chapter 52, the periods last above named were further extended, that is to say, in the case of one-year convicts to the 1st day of May, 1875, and in that of two-year convicts to the 1st day of May, 1876.

11th. That all the above cited statutes apply equally to the Provinces of Nova Scotia and of New Brunswick, and that in none of them are recognized in any way the clear and inalienable right of the said city and county of St. John reserved as above mentioned by the said Acts of Assembly, and subject to which the said lands and buildings were originally transferred to the Provincial Government.

12th. That as your memorialists conceive, it is a matter of public faith that the rights reserved to the said city and county should have been specially regarded and maintained by the Dominion Legislature and Government, as they doubtless would have been by the Assembly and Government of New Brunswick had Confederation not taken place.

13th. That a reference to statistics of the said penitentiary, from its establishment, will show that fully 90 per cent. of all the convicts sent there are from the city and county of St. John, and that of these above 95 per cent. are under two year convicts. Your memorialists therefore pray that Your Excellency will cause the subject matter of this memorial to be enquired into, and if the statements therein set forth and contained be found correct and true—and your memorialists believe that they cannot be gainsaid or disputed—direct such steps to be taken as will insure to your memorialists and the said city and county of St. John the continuation in perpetuity of the rights so reserved as aforesaid; or that such other provision for dealing with the class of convicts, which, under the existing law, will shortly be shut out from the said penitentiary, may be made in the premises, as will relieve this city and county from the great loss and detriment to which it would otherwise be subject, and will also prevent the violation of the terms upon which the institution and premises aforesaid passed out of the said sessions, and subsequently became the property of the Dominion of Canada.

And, as in duty bound, your memorialists will ever pray. In testimony whereof, the said justices have caused the seal of the said sessions to be hereunto affixed, the 18th day of January, 1875.

A. CHIPMAN SMITH, *Mayor*.

[L.S.]

H. W. FRITH, Clerk of Peace.

## PRINCE EDWARD ISLAND—INCREASE OF SUBSIDY.

No. 1.

*Copy of Order of Dominion Privy Council, Dated 15th June, 1875.*

GOVERNMENT HOUSE, OTTAWA, Tuesday, 15th day of June, 1875.

*Present :*

HIS EXCELLENCY THE ADMINISTRATOR IN COUNCIL.

Whereas, by an Act passed in the 31st year of Her Majesty's reign, entitled : "An Act for the union of Canada, Nova Scotia, and New Brunswick, and the Government thereof, and for purposes connected therewith," it is amongst other things enacted that a Bill, reserved for the signification of the pleasure of the Governor General, shall not have any force unless and until within one year from the day on



which it was presented to the Lieutenant-Governor for the Governor General's assent, the Lieutenant-Governor signifies, by speech or message, to each of the Houses of the Legislature, or by proclamation, that it has received the assent of the Governor General in Council :

And whereas, on the 27th day of April, 1875, the Lieutenant-Governor of the Province of Prince Edward Island reserved a certain Bill passed by the Legislative Council and Assembly of the said Province, entitled : " The Land Purchase Act, 1875," for the signification of the Governor General's pleasure thereon :

And whereas the said Bill so reserved as aforesaid has been laid before the Administrator of the Government in Council, and it is expedient that the said Bill should be assented to :

Now, therefore, the Administrator of the Government, in pursuance of the said Act, and in the exercise of the powers thereby reserved to the Governor General as aforesaid, doth, by this present order, by and with the advice of His Privy Council, declare his assent to the said Bill.

And the Secretary of State is to give the necessary directions herein accordingly.  
W. A. HIMSWORTH, *Clerk Privy Council.*

## No 2.

COPY of Despatch from Secretary of State, Ottawa, dated 15th July, 1875, announcing the appointment of the Right Hon. H. C. E. Childers, as Second Commissioner under Land Purchase Act.

OTTAWA, 15th July, 1875.

SIR,—I am directed to inform you that His Excellency the Administrator of the Government in Council, has been pleased, under the provisions of the 7th section of " The Land Purchase Act, 1875," to appoint the Right Hon. Hugh Culling Eardley Childers to be the Second Commissioner for the purposes of the said Act.

I have the honor to be, Sir, your obedient servant,

EDOUARD J. LANGEVIN, *Under Secretary of State.*

To His Honor the Lieutenant Governor

of P. E. Island, Charlottetown, P. E. I.

## No. 4.

COPY of Minute of Executive Council, P. E. Island, directing application to be made to the Dominion Government for the payment of the sum of \$800,000, in such sums as may be required, from time to time, by Government of this Province, to carry into effect Land Purchase Act.

EXTRACT from *Minutes of the Executive Council of Prince Edward Island.*

COUNCIL CHAMBER, 1st September, 1875.

At a meeting of Council,

*Present :*

THE LIEUTENANT-GOVERNOR, &c., &c., &c.,

It was ordered that application be made to the Dominion Government for the payment, by them, in accordance with the articles of Confederation, of the sum of \$800,000, in such sums as may be required, from time to time, by the Government of this Province, to enable them to carry into effect " The Land Purchase Act, 1875," by the provisions of which Act the Provincial Government is required, at the expiration of sixty days from the publication of each award by the Commissioners appointed under the said Act, to pay into the colonial treasury the sum awarded by the said commissioners to the credit of the said proceeding in which such award shall have been made.

Certified.

WILLIAM C. DESBRISAY, *Assistant Clerk Executive Council.*

## No. 6.

COPY of Despatch from Secretary of State, Ottawa, dated 14th October, 1875, forwarding a copy of an Order of the Dominion Privy Council, authorizing payment of \$306,550, awarded by Commissioners under Land Purchase Act, 1875, in cases reported by them to that date, to the credit of the Provincial Treasurer, at the Bank of Montreal, together with a copy of the Order in Council therein referred to.

OTTAWA, 14th October, 1875.

SIR,—With reference to your despatch, No. 42, of the 6th ultimo, I have the honor to transmit to you herewith, for the information of your Government, a copy of an Order of His Excellency the Administrator of the Government in Council, authorizing the payment to the Treasurer of the Province of Prince Edward Island of the sum of \$306,550, being the amount awarded by the commissioners appointed under "The Land Purchase Act, 1875," in the cases reported on by them.

I am informed by the Auditor of Public Accounts that the above amount has been placed to the credit of the Provincial Treasurer at the Bank of Montreal, in Montreal.

I have the honor to be, Sir, your obedient servant,

EDOUARD J. LANGEVIN, *Under Secretary of State.*

To His Honor the Lieutenant Governor of P.E. Island,  
Charlottetown, P.E.I.

COPY of a Report of a Committee of the Honorable the Privy Council, approved by His Excellency the Administrator of the Government in Council on the 12th October, 1875.

On a memorandum, dated 6th October, 1875, from the Hon. Mr. Mackenzie, acting in the absence of the Minister of Finance, submitting an application from the Lieutenant-Governor of Prince Edward Island, stating that the commissioners appointed under the Land Purchase Act have reported upon certain cases, amounting to \$306,550, and requesting that this amount, together with \$10,000 to cover the cost of the commission, may be paid into the provincial treasury—the Minister recommends that the amount of the Commissioners' award, viz.:—\$306,550—be at once paid to the Provincial Treasurer.

The Committee submit the above recommendation for Your Excellency's approval.

Certified.

W. A. HIMSWORTH, *Clerk Privy Council.*

Hon. the Secretary of State, &c., &c., &c.

## DOMINION NOTES.

The next question is, that when the Treasurer gave his certificate the money had really not been paid in, the fact being that the Government, under a mistake of the law, supposed that Dominion notes were a legal tender here, and the amounts were paid to the Treasurer in those notes; the counsel for the Government admit that it was a mistake, and this is one of the grounds on which an injunction was granted. The 30th section enacts, "that at the expiration of 30 days from the publication of the award, the Government shall pay the amount awarded into the colonial treasury, to the credit of the suit or proceedings in which such award shall have been made." The 31st section, that the Treasurer shall immediately, after such payment, deliver a notice to the prothonotary that the amount awarded has been paid in, and that notice is to be in the form schedule (D), which is: "I certify that the sum of — has been placed to the credit of the account opened in the above matter, which said amount will be paid to such party or parties as the Supreme Court shall, by rule in the above matter, order and direct." And the 32nd sec. provides, that when the sum is so paid in, the public trustee shall, before conveyance, give 14 days' notice of his



intention to convey. It was contended that the Act requiring the money to be paid at the expiration of sixty days is imperative, and that by the error the whole proceedings fall to the ground. I incline to think this is not the case; but at present it is unnecessary to decide it. When the money is paid in new notices can be given, and then the objection can be taken and argued. At present the notices are void, and just as if they never had been given; and we can only say that, as yet, no money has been paid in. But if the Act don't make payment at the end of sixty days imperative, yet it must mean very promptly, and it would be most unjust to allow the Government, by an indefinite delay in paying in the money, to keep the proprietor out of the use of it, while, at the same time, it deprives him of his right to arrears of rent. The Act itself works great injustice to those who, like Mr. Stewart, hold very large quantities of unleased wild land, for it prevents the recovery of all except the rents current since the notice of intention to take; but that, at the most, only represents the income from the leased lands, but if compensation has been justly made a large part of the \$76,500 must represent the unleased wild land. No interest is allowed by Government to the proprietor on any part of the sum awarded, from the time of the award until he receives his money; and yet, in large wilderness estates, the receipts from sales of wood and stumpage must have been considerable. But in this point we are acting under the injunction power given by the 32nd section. If I am correct in my construction of that section, we must exercise the same power as equity would do in like circumstances. In using that power, equity lays down no rule which shall limit its power or discretion in particular cases; it takes care to mould its decrees so as to meet the ends of substantial justice; it is very careful how it interferes, merely on account of some mere non-observance or disregard of a strict, legal right. In such cases, while it acknowledges the jurisdiction, it declines to exercise it further than is necessary to prevent real injury being done; and in this case, if the parties don't come to some amicable arrangement, and we can finally mould our decree so as to prevent Mr. Stewart sustaining actual loss, I should be very unwilling to permit this mere mistake to upset the proceedings, if they were otherwise valid. But, at the same time, we must take care not to add to injustice by allowing such indefinite delay. I think, therefore, that the order in Mr. Stewart's case should be that the injunction should be continued for a very short time, and if, at the expiration of that time, the Treasurer shall not certify that \$76,500 in lawful gold coin has been paid in to the court in this case, that then Mr. Stewart may move to have the injunction made perpetual.

With regard to Miss Sullivan, I am satisfied that the quit rent question was withdrawn, but the boundary question is as fatal to her case as to the other.

No. 32.

*The Earl of Carnarvon to Governor the Right Hon. the Earl of Dufferin, K.P., K.C.B.*

DOWNING STREET, 3rd December, 1874.

MY LORD,—I inclose herewith a copy of a further letter which I have received from Lady Georgina Fane,\* protesting against the Land Purchase Act, passed by the Legislature of Prince Edward Island.

I am aware that I need not remind you that it will be convenient that your decision as to the allowance or disallowance of this Act should be announced with as little delay as possible.

I have, &c.,

CARNARVON.

No. 33.

*Governor the Right Hon. the Earl of Dufferin, K.P., K.C.M.G., to the Earl of Carnarvon.*  
(Received Jan. 15.)

GOVERNMENT HOUSE, OTTAWA, 29th December, 1874.

MY LORD,—With reference to the correspondence that has taken place on the subject of a Bill passed by the Legislature of Prince Edward Island, intituled, "The

Land Purchase Act, 1874," I have the honor of transmitting herewith, for Your Lordship's information, a copy of an Order in Council approving a report by the Minister of Justice advising me not to assent to the Bill in question.

I have, &c.,

DUFFERIN.

Inclosure in No. 33.

*REPORT of a Committee of the Honorable the Privy Council, approved by His Excellency the Governor General on the 26th day of December, 1874.*

The Committee of Council have had under consideration the report dated 23rd December, 1874, from the Hon. the Minister of Justice, to whom was referred a Bill passed by the Legislature of the Province of Prince Edward Island at the Session thereof held in the early part of this present year, and intituled, "The Land Purchase Act, 1874," which Bill was reserved for the signification of your Excellency's pleasure thereon.

The Committee, under all the circumstances of the case, as set forth in the said report, submit their concurrence in the recommendation of the Minister of Justice, and advise that the Bill so reserved do not receive the assent of Your Excellency in Council.

Certified,

W. A. HIMSWORTH, *Clerk Privy Council.*

DEPARTMENT OF JUSTICE, OTTAWA, 23rd December, 1874.

The undersigned has the honor to report:—

That at the Session of the Legislature of Prince Edward Island held in the early part of this present year, a Bill was passed by both Houses, intituled, "The Land Purchase Act, 1874," which was reserved by the Lieutenant-Governor for the signification of Your Excellency's pleasure.

Its objects are forshadowrd in the recitals thereto, which are:—

"1stly, That the leasehold tenures of this island have long been a subject of contemplation, and have proved seriously detrimental to the prosperity of this Province, and to the contentment and happiness of its people.

"2ndly. That it appears from correspondence which has recently taken place between the Government of this island and certain proprietors, that there is no reasonable hope of the latter voluntarily selling their township lands to the Government at moderate prices.

3rdly. That it is very desirable to convert the leasehold tenures into freehold estates, on terms just and equitable to the tenants as well as to the proprietors."

It provides that the Colonial Secretary shall notify any proprietor owning 500 acres of lands or upwards that the Government of the Province intend to purchase his land under the provisions of the Act, after which the Government and proprietor shall each nominate a commissioner to award the amount of money, and they are jointly to nominate a third commissioner.

The Act provides the necessary machinery for carrying such arbitration into effect, and provides further, as follows:—

"Section 23. After hearing the evidence adduced before them, the commissioners, or any two of them, shall award the sum due to such proprietors as compensation or price to which he shall be entitled by reason of his being divested of his lands and all interest therein and thereto.

"Section 24. The fact of the purchase or sale of the lands of any proprietor being compulsory and not voluntary, shall not entitle any such proprietor to any compensation by reason of such compulsory purchase or sale, the object of this Act being to pay every proprietor a fair indemnity or equivalent for the value of his interest, and no more."

And by the 25th section are regulated the circumstances which are to be taken into consideration by the commissioners in estimating the amount of compensation to be paid to the proprietors.



Under the 23th section the Lieutenant-Governor in Council is to nominate a public trustee, who, when the purchase money of the property shall have been paid into the treasury, is to execute a conveyance of the estate of the proprietor to the commissioner of public lands, which shall thereby vest in the commissioner of public lands an absolute and indefeasible estate of fee simple, free from all incumbrances of every description, and shall be held and disposed of by him as public lands, and shall also vest in the commissioner of public lands all arrears of rent due upon the said lands. It further provides—

"Section 31. When the full sum for any lands shall have been paid into the treasury, and the conveyance executed by the public trustee to the commissioner of public lands, the Government shall be absolutely exonerated from all liability to any person or persons whomsoever who may claim any estate so conveyed as aforesaid, or any interest therein, except as is mentioned in the next section.

"Section 44. After the passing of this Act no action at law shall be maintained by any proprietor for the recovery of more than the current and subsequent year's rent; and in case any such action is brought against any such tenant by any proprietor, such tenant may plead this Act in bar of such action, nor shall any execution issue on any judgment recovered, or to be recovered, for rent by any proprietor against any tenant in this island, excepting the current and subsequent accruing year's rent; and in case any such execution is issued, the Supreme Court, or a judge thereof, shall, on application, stay any such execution until the award of the said commissioner shall be made."

2. In transmitting this reserved Bill the Lieutenant-Governor forwards therewith certain documents.

The reasons which induced the Lieutenant-Governor to reserve the Bill are given by him as follows:—

"The Act in question affecting private rights, by enforcing a compulsory sale by proprietors of 500 acres of land or upwards, at prices to be determined under a system of arbitration, to which they are thereby compelled to be parties, I deemed it to be my duty to reserve it for the consideration of His Excellency the Governor-General.

"For upwards of half a century 'the land question,' so called, has agitated the minds of the people of this Province, and repeated attempts have been, from time to time made by the Local Legislature to get rid of the leasehold system prevalent here, and the aid of the Imperial Government has been frequently invoked for that purpose, by endeavoring to obtain its sanction to the establishment of a court of escheat, on the ground of the non-fulfilment by the grantees of the conditions of their grants from the Crown, but to which Her Majesty's Government invariably refused to accede.

"In 1860 three commissioners were appointed to enquire into and adjust 'the differences between landlord and tenant;' the then proprietors, or a major part of them, were assenting parties to this commission; one commissioner was selected by the Secretary of State for the Colonies, a second by the proprietors, and a third by the Local Legislature. Their report and award, characterized by the late Duke of Newcastle, then Secretary of State for the Colonies, as 'able and impartial,' was set aside, because the commissioners thereby devolved the duty assigning the value of township lands, which they should have performed themselves, upon other parties not recognized by the submission.\* A copy of the commissioners' report and award accompanies the reasons of the Attorney-General, marked No. 1, and to this I beg to refer His Excellency the Governor General, affording, as it does, a complete history of the land question from the year 1767 to the date of the report.

"The desire, finally, to extinguish the leasehold system, so far as relates to lands still in the hands of the proprietors, continues unabated; in fact, it has received a fresh impetus since Confederation, in view of the sum of \$300,000 appropriated by the Dominion Government for the purchase of the proprietary rights in this Province."

\* *Sic.*

The report of Mr. Attorney General Brecken, briefly referring to the same matter, as mentioned in the despatch of the Lieutenant-Governor, quotes particularly from the despatch of the 13th March, 1869, from the then Secretary of State for the Colonies, to the effect that, if confederation of Prince Edward Island with Canada were to ensue, the land question should be left, as far as possible, for the decision of those who, under the altered circumstances of the colony, would have to carry into execution any measures connected with it.

The Attorney-General further adds that the Local Government is led to believe that there is no reasonable prospect of some of the owners of township lands voluntarily disposing of their estates at moderate prices, and that others of them are not at all desirous of permitting their tenants to become freeholders.

Impelled by the peculiar circumstances of the case, and strengthened by the despatch of Earl Granville above alluded to, the Legislature had passed the Act with the hope that it might be the means of settling for ever this long agitated question on terms just and liberal as well to the proprietors as to the tenants.

The Lieutenant-Governor also transmits copies of correspondence between the Local Government and certain proprietors of lands and their agents, on this subject. The views of the different proprietors as to parting with the property vary, but the tenor shows generally an indisposition on the part of the proprietors to dispose of their properties, whilst, in some instances, they ask that a definite offer should be made to them.

There is also a statement submitted, showing the names of the proprietors, their residencies, and number of acres owned by each, and the quantity of land owned by small freeholders, the former being 381,720 acres and the latter 221,000 acres.

There is also a statement showing the quantity of land already purchased under the authority of a previous local Act, being, in the aggregate, 457,270 acres, at an aggregate amount of \$517,951; and a further purchase under an Act passed, 28 Vic., of nearly 7,000 acres. These purchases, however, appear to have been all made with the assent of the proprietors.

With the Lieutenant-Governor's despatch are certain memorials of proprietors, praying that the Act may not be allowed. These have been since supplemented by memorials furnished either to the Secretary of State for the Colonies, and transmitted by him, or direct to Your Excellency.

3. The documents transmitted by Mr. Attorney-General Brecken show the transmission, by the Duke of Newcastle, in February, 1862, to the Lieutenant-Governor, of a copy of a report of the commissioners appointed to inquire into the land tenures of Prince Edward Island, together with the copy of the report, which embraces a very full consideration of the whole circumstances, the same bearing date 18th July, 1861.

As before mentioned, however, nothing was done upon this report.

In 1864 a deputation from the Government of Prince Edward Island proceeded to England, when certain correspondence ensued between the Duke of Newcastle and themselves, and it appears that Sir Samuel Cunard proposed terms, and submitted a draft Bill, which he thought would bear out the matter. These, however, equally led to the absence of any result.

In 1868 the matter was again brought forward by the Lieutenant-Governor submitting a Minute of the Executive Council, and praying the sanction of the Secretary of State to the measure, which might obtain a settlement of this question, in reply to which the Duke of Buckingham and Chandos stated that he "fully recognized the propriety of the course which the Executive Council have taken in seeking to obtain the sanction of the Secretary of State before introducing a measure which would naturally tend to raise in the minds of the people expectations with which, in the result, it might be deemed inexpedient to comply.

"I make the recognition the more fully, because, after a careful consideration of the whole case and of the grounds now put forward by the Executive Council in support of a law for a compulsory sale of the land of those proprietors who were not parties to the Act of 1864, I am not prepared to advise Her Majesty to sanction such a measure.



"The views of former Secretaries of State upon this subject, and the grounds upon which such views were based, have been so clearly explained in prior correspondence that it appears to me unnecessary to do more now than to state that I find no special reason assigned in the Minute of Council which, in my opinion, would justify, on the ground of public policy, the proposed direct appropriation of private property."

In February, 1869, correspondence was renewed between the Lieutenant-Governor of Prince Edward Island and the Imperial Government, which led to the remarks of Lord Granville, previously quoted, to the effect that decision as to the land question should be left to those who, under the altered circumstances of the colony, by Confederation, if it were carried out, would have to carry into execution any measures connected with it.

4. Several petitions are presented against the allowance of this Bill, some, as above stated, having been sent to the Secretary of State for the Colonies, and others direct to Your Excellency. In transmitting one presented in England, Lord Carnarvon requests the careful consideration of your Excellency's Ministers in respect to it. They submit that the proposed Act is subversive of the rights of property, and that it will prove most ruinous to proprietors in the colony, and a dangerous precedent to establish as a mode of allaying popular agitation. After entering upon details of the past, they submit that the Act is without a precedent in the history of legislation, and that even if it were called for, as constitutional as respects its objects, the mode of procedure adopted by it would prove most ruinous and harassing to the owners of property in that island. They allege that the Government, which is practically irresponsible, as it cannot be sued in a court of law, might hold this Act over the unfortunate proprietor, who cannot force on the proceedings when once commenced, nor obtain compensation or costs when such proceedings have been abandoned, and they dispute the recitals to the Act, and pray for the disallowance of the same.

The other petitions allege various reasons in respect to which they, as proprietors and British subjects, would be much injured and damnified if the Act passed.

The allegations in these petitions are very forcibly urged, and represent features which cannot but be regarded as contrary to the principles of legislation in respect to private rights and property.

The undersigned is of opinion that the Act is objectionable, in that it does not provide for an impartial arbitration, in which the proprietors would have a representation for arriving at a decision on the nature of the rights and the value of the property involved, and also securing a speedy termination and settlement of the matters in dispute.

Under all the circumstances of the case, the undersigned has the honor to recommend that the Bill so reserved, intituled, "The Land Purchase Act, 1874," do not receive the assent of Your Excellency in Council.

H. BERNARD, *Deputy Minister of Justice.*

I concur,

T. FOURNIEB, Minister of Justice.

No. 34.

*Governor the Right Hon. the Earl of Dufferin, K.P., K.C.E., to the Earl of Carnarvon. (Received 15th January, 1875.)*

GOVERNMENT HOUSE, OTTAWA, 31st December, 1874.

MY LORD,—In reference to Your Lordship's secret despatch of the 2nd November,\* I have the honor to state that immediately the Prince Edward Island Land Purchase Bill was communicated to me, and that I had mastered its contents, I informed the Prime Minister that, in my opinion, its provisions were objectionable, and that I should decline assenting to it.

2. Mr. Mackenzie offered no opposition to this announcement, and it became the duty of the Ministerial Department concerned in such matters to communicate my decision to the Local Government, and I had every reason to believe that this had

\*No. 21.

been done in the usual manner. It would appear, however, from the petitions forwarded from England, that some misapprehension has arisen at home in regard to the fate of the Bill.

3. I have, therefore, called Mr. Mackenzie's attention to the point, and an Order in Council has been passed, upon the recommendation of the Minister of Justice, under which my responsible advisers formally recommend the disallowance of the Bill in question.

4. The absence of Mr. Laird, the Secretary of State, and the representative of Prince Edward Island in the Cabinet, for some months, on a mission to the Indian tribes in the North-West, may account, perhaps, for the tardy action of my Ministers with regard to this matter.

5. I have every reason to hope that my Government will be disposed to consider favorably the suggestion contained in Your Lordship's despatch for the appointment of a commission of arbitration to settle the long-standing disputes with regard to proprietary rights in Prince Edward Island, and in a short time I hope to be in a position to communicate further with Your Lordship on the subject.

I have, &c.,

DUFFERIN.

No. 35.

*Colonial Office to Messrs. Frere & Co.*

DOWNING STREET, 19, Jan. 1875.

GENTLEMEN,—I am directed by the Earl of Carnarvon to acquaint you, as solicitors of the late Lady Georgina Fane, that his Lordship has been informed by the Governor General of Canada that the Governor General has been advised by his Ministers not to assent to the Bill of the Legislature of Prince Edward Island, entitled "The Land Purchase Act, 1874."

I have, &c.,

W. R. MALCOLM.

No. 36.

*Colonial Office to Viscount Melville.*

DOWNING STREET, January 19, 1875.

MY LORD,—With reference to the memorial signed by yourself and other proprietors of land in Prince Edward Island in June last,\* protesting against the Bill passed by the Legislature of that island, intituled: "The Land Purchase Act, 1874," I am directed by the Earl of Carnarvon to acquaint you that he has been informed by the Governor General of Canada that the Governor General has been advised by his Ministers not to assent to the Bill.

The names of the other persons who signed the memorial against the Bill are noted in the margin,† and as this Department has not been furnished with their addresses, Lord Carnarvon desires me to request that you will have the goodness to communicate to them the information contained in this letter, if it is in your power to do so.

I am to add that Messrs. Frere & Co., the solicitors of the late Lady Georgina Fane, have been informed of the decision arrived at by the Canadian Government.

I have, &c.,

W. R. MALCOLM.

No. 37.

*The Earl of Carnarvon to Governor the Right Hon. the Earl of Dufferin, K.P., K.C.B.*

DOWNING STREET, January 27, 1875.

MY LORD,—I have the honor to acknowledge the receipt of your despatch of the 29th of December,‡ enclosing a copy of an Order of the Canadian Privy Council

\* No. 14. † C. A. Sullivan, G. Graham Montgomery, W. Stewart (for self and sister), M. M. Fanning, Lieutenant-Colonel B. Cumberland, M. T. Cumberland and John MacDonald. ‡ No. 33.



approving a report of the Minister of Justice advising you not to assent to the "Prince Edward Island Land Purchase Bill, 1874."

I have, &c.,

CARNARVON.

No. 5.

*Land Purchase Act, 1875.*

Whereas the Government of Prince Edward Island is entitled to receive from the Government of the Dominion of Canada the sum of eight hundred thousand dollars, under the terms on which this island became confederated with Canada, for the purpose of enabling the Government of this Province to purchase the township lands held by the proprietors in this island.

And whereas it is very desirable to convert the leasehold tenures into freehold estates, upon terms just and equitable to the tenants as well as to the proprietors.

Be it enacted by the Lieutenant-Governor, Council and Assembly, as follows:—

1. The terms and expressions hereinafter mentioned, which in their ordinary signification have a more confined or different meaning, shall in this Act—except where the nature of the provisions in the context shall exclude such construction—be interpreted as follows:—

"Proprietor" shall be construed to include and extend to any person, for the time being, receiving or entitled to receive the rents, issues or profits of any township lands in this island (exceeding five hundred acres in the aggregate) in his or their own right, or as trustee, guardian, executor or administrator for any other person or persons, or as a husband in right of or together with his wife, or whether such lands are leased or unleased, occupied or unoccupied, cultivated or wilderness, provided that nothing herein contained shall be construed to affect any proprietor whose lands in his actual use and occupation, and untenanted, do not exceed one thousand acres.

2. The Commissioner of Public Lands shall, within sixty days after the publication of the Governor General's assent to this Act in the *Canada Gazette*, notify any proprietor or proprietors that the Government of this Province intend to purchase his or their township lands under this Act.

3. Every such notification may be served upon a proprietor either by delivering the same to him personally, or, in his absence from this island, to his known agent or attorney, or, in any case, by posting the same to such proprietor through the general post office in Charlottetown, addressed to him at his last known place of abode, and by publishing a copy of such notice for twelve consecutive weeks in the *Royal Gazette* of this Province, and the posting of such notice and the publication of the same as aforesaid shall be deemed and held to be as good and valid notice as if the same had been personally served on such proprietor or his known agent.

4. The amount of money to be paid to any such proprietor shall be found and ascertained by three commissioners, or any two of them, to be appointed as hereinafter mentioned.

5. The Lieutenant-Governor of this island, in Council, shall, within sixty days after the publication of the Governor General's assent to this Act in the *Canada Gazette*, nominate and appoint one commissioner on behalf of the Government of this island, for the purposes of this Act.

6. In case of the death, neglect, refusal or incapacity to act of the commissioner so appointed by the Lieutenant-Governor in Council, he shall appoint a successor or successors as often as may be.

7. The Governor General of the Dominion of Canada, in Council, shall, within sixty days after the publication of his assent, as aforesaid, nominate and appoint the second commissioner for the purposes of this Act.

8. In the case of the death, neglect, refusal or incapacity to act of the commissioner so appointed by the Governor General in Council, he shall, in Council, nominate and appoint a successor or successors as often as the case may be.

9. Any proprietor who shall have been notified under the second section of this Act, shall, within sixty days thereafter, nominate and appoint a third commissioner on his or her behalf to act with the commissioners so to be appointed as aforesaid: Provided, that such commissioner shall not be deemed to be a commissioner under the terms of this Act until he shall have first given notice to the commissioner of public lands of such his appointment.

10. In case of the death, neglect, refusal or incapacity to act of the commissioner so to be appointed by any proprietor, as aforesaid, any such proprietor may appoint successor or successors as often as may be.

11. If any proprietor shall not, within sixty days after the notification prescribed in the third section of this Act, appoint a commissioner, or should not within thirty days of the death, neglect, refusal or incompetence to act of any commissioner appointed by any proprietor, as aforesaid, appoint his successor, then, and in either of such cases, application shall be made by the commissioner of public lands to the Supreme Court of Judicature of this island to nominate a commissioner on behalf of such proprietor.

12. No precedence shall be claimed by one commissioner over the others of them, merely because he may have been appointed by the Governor General in Council, or the Lieutenant-Governor in Council, but the three commissioners so appointed, as aforesaid, shall elect which one of them shall preside at the meeting of such commission, to take into consideration the matters referred to them under the provisions of this Act: Provided, that in case the said commissioners shall be unable to agree upon a presiding commissioner, then such presiding commissioner shall be the commissioner who shall have been appointed by the Governor General in Council.

13. When any third commissioner shall have been appointed, the said commissioners, or any two of them, shall, within thirty days after the appointment of the said third commissioner, notify the commissioner of public lands, in writing, of such their appointment.

14. The said commissioners, or any two of them, shall, upon the petition of the commissioner of public lands, publish a notice in the *Royal Gazette* newspaper of his Province, of a day and place in Charlottetown when and whereat they will hear and consider the matters referred to them under the provisions of this Act, relating to the lands of the proprietor whose commissioner shall have been appointed, and in such notice shall specify the name of the proprietor or proprietors whose lands the commissioners are empowered to value, and such notice shall be published for three consecutive weeks in the *Royal Gazette* newspaper of this island.

15. All proceedings under this Act shall be entitled in the name of the then commissioner of public lands, who, in his official capacity as such commissioner of public lands, shall be, and be considered, the claimant or applicant, and shall be subject to process of contempt, and shall be personally liable for the performance of all duties imposed upon him under the provisions of this Act, and for the costs of all proceedings, in as full and ample a manner in all respects as though he were a plaintiff in the Supreme Court, or a complainant in the Court of Chancery, in any suit in either of said courts.

16. In case any proprietor shall be a lunatic, a person of unsound mind, or a minor, or laboring under any other disability, and has no guardian, an application shall be made by the commissioner of public lands to the Supreme Court, for the appointment of a guardian for such lunatic, person of unsound mind, or a minor, or such other person.

17. Upon such application, the said court may appoint a guardian, *ad litem*, for such lunatic, person of unsound mind, minor or other person.

18. The commissioner of public lands may appoint a solicitor to act for him in all matters required to be performed by him under the provisions of this Act, and any proprietor or party in anywise interested in the matter then pending may be represented by counsel before the commissioners.

19. Either party shall have power to issue subpoenas, and subpoenas *duces tecum*, to witnesses to give evidence before the commissioners, which subpoenas shall be issued from the prothonotary's office upon payment of the usual fees.



20. The said commissioners shall have full power and authority to examine, on oath, any person who shall appear before them, either as a party interested or as a witness, and to summon before them all persons whom they, or any two of them, may deem it expedient to examine upon the matters submitted to their consideration, and the facts which they may require to ascertain, in order to carry this Act into effect, and to require any such person to bring with him and produce before them any book, paper, plan, instrument, document or other thing mentioned in such subpoena, and necessary for the purposes of this Act; and if any person so subpoenaed shall refuse or neglect to appear before them, or, appearing, shall refuse to answer any lawful question put to him, or to produce any such book, paper, plan, instrument, document or thing whatsoever, which may be in his possession or under his control, and which he shall have been required by such subpoena to bring with him or to produce, such person shall, for every such neglect or refusal, incur a penalty of not less than five dollars or more than fifty dollars, payable to Her Majesty, to be recovered, with costs, in the names of the commissioners, or any or either of them, upon bill, information or plaint, before the Supreme Court, and in default of payment shall be imprisoned for a period not exceeding three months, in addition to any punishment for contempt which the Supreme Court may inflict.

21. The commissioners, when appointed as aforesaid, shall make an oath before one of the judges of the Supreme Court that they will well and faithfully discharge the duties imposed upon them under this Act, and adjudicate on all matters coming before them, to the best of their judgment, without fear, favor or affection.

22. If any proprietor shall, either by himself, his agent, guardian, committee, trustee or counsel, neglect to appear before the commissioners, pursuant to notice under the provisions of this Act, the commissioners shall be at liberty to proceed, *ex parte*.

23. The commissioners may, upon application made by any proprietor, upon cause being shown to the satisfaction of the commissioners, grant an extension of time to such proprietor before entering upon the hearing of such proceedings before them.

24. It shall be lawful for the commissioners to be appointed under the provisions of this Act to enter upon all lands concerning which they shall be empowered to adjudicate, in order to make such examination thereof as may be necessary, without being subjected, in respect thereof, to any obstruction or prosecution, and with the right to command the assistance of all justices of the peace and others, in order to enter and make such examination in case of opposition.

25. The commissioners, or any two of them, may adjourn the hearing of any matter from time to time as they may deem necessary and expedient.

26. After hearing the evidence adduced before them the commissioners, or any two of them, shall award the sum due to such proprietor as the compensation or price to which he shall be entitled by reason of his being divested of his lands, and all interest therein and thereto.

27. The fact of the purchase or sale of the lands of any proprietor being compulsory and not voluntary shall not entitle any such proprietor to any compensation by reason of such compulsory purchase or sale, the object of this Act being to pay every proprietor a fair indemnity or equivalent for the value of his interest, and no more.

28. In estimating the amount of compensation to be paid to any proprietor for his interest or right to any lands, the commissioners shall take the following facts or circumstances into their consideration:—

(a.) The price at which other proprietors in this island have heretofore sold their lands to the Government.

(b.) The number of acres under lease in the estate or lands they are valuing; the length of the leases on such estates; the rents reserved by such leases; the arrears of rent and the years over which they extend, and the reasonable probability of their being recovered.

(c.) The number of acres of vacant or unleased lands; their quality and value to the proprietor.

(d.) (1.) The gross rental actually paid by the tenants on any estate yearly for the previous six years; (2) the expenses and charges connected with and incidental to the recovery of such rent, and its receipt by the proprietor; and (3) the actual net receipts of the proprietor for the said period of six years.

(e.) The number of acres possessed or occupied by any persons who have not attained to or paid rent to the proprietor, and who claim to hold such land adversely to such proprietor, and the reasonable probabilities and expenses of the proprietor sustaining his claim against such persons holding adversely in a court of law, shall each and all be elements to be taken into consideration by the said commissioners in estimating the value of such proprietor's lands; (1) the conditions of the original grants from the Crown; (2) the performance or non-performance of those conditions; (3) the effects of such non-performance, and how far the despatches from the English colonial secretaries to the different Lieutenant-Governors of this island, or other action of the Crown or Government, have operated as waivers of any forfeitures; (f.) the quit rents reserved in the original grants, and how far the payments of the same have been waived or remitted by the Crown.

28. When the award shall have been made by the commissioners, or any two of them, the same shall be published by delivering a copy thereof to the proprietor or to his agent, duly authorized as aforesaid, and filing the original in the office of the prothonotary of the Supreme Court.

29. At the expiration of sixty days from such publication of the award, the Government shall pay into the colonial treasury the sum so awarded by the said commissioners, or any two of them, to the credit of the suit or proceeding in which such award shall have been made.

30. The Colonial Treasurer shall, immediately after such payment, deliver to the prothonotary of the Supreme Court a certificate of the amount paid into the treasury, as aforesaid, which certificate shall be in the form to this Act annexed, marked A.

31. It shall be the duty of the Lieutenant-Governor in Council to nominate a fit and proper person, to be called the "public trustee," who, when the sum so awarded to the proprietor as aforesaid, shall have been paid into the treasury as aforesaid, shall (unless restrained by the Supreme Court, or a judge thereof), after fourteen days' notice to the proprietor or his agent authorized as aforesaid, execute a conveyance of the estate of such proprietor to the commissioner of public lands, which said conveyance may be in the form to this Act annexed, marked B.

32. The conveyance mentioned in the last preceding section shall vest in the commissioner of public lands an absolute and indefeasible estate of fee simple, free from all incumbrances of every description, and shall be held by and disposed of by him as if such lands had been purchased under the provisions of the Act passed in the sixteenth year of the reign of Her present Majesty Queen Victoria, chapter eighteen, intituled, "An Act for the purchase of lands on behalf of the Government of Prince Edward Island and to regulate the sale and management thereof, and for other purposes therein mentioned," and shall also vest in the commissioner of public lands all arrears of rent due upon the said lands.

33. The appointment of the public trustee shall be under the great seal of this Province, and shall be registered in the office of the registrar of deeds.

34. The party entitled to the sum awarded, or any party or parties entitled to a portion of such sum for the lands so conveyed by the public trustee to the commissioner of public lands, may receive the same by obtaining an order from the Supreme Court upon presenting a petition, and upon proving his or their right to such sum or any portion thereof: Provided that the commissioner of public lands be made a party to such application.

35. It shall be the duty of the Supreme Court, upon any such application, to require that all proper persons shall be made parties to such proceedings, and to apportion such sums in such shares and proportions as such parties shall be entitled to receive.

36. When the full sum for any lands shall have been paid into the treasury and the conveyance executed by the public trustee to the commissioner of public lands,



the Government shall be absolutely exonerated from all liability to any person or persons whomsoever who may claim any estate so conveyed as aforesaid, or any interest therein, except as is mentioned in the next section.

37. The party obtaining an order from the Supreme Court for any money to which he shall be entitled for his estate so vested in the commissioner of public lands, or any interest therein, shall be indemnified in his costs incurred in making such application: Provided always, that no party shall receive or be entitled to any costs who has made an unsuccessful application to the court for an order for the money so paid into the treasury, as aforesaid, but such party shall pay to and reimburse the party who has received such order such costs as he shall have been put to by reason of such unsuccessful application.

38. When any estate shall be vested in the commissioner of public lands under the provisions of this Act, which shall, previous thereto, have been vested in the name or names of any trustee or trustees, the court shall order the purchase money of such estate to be invested in the name or names of such trustee or trustees, upon trust, to pay the interest arising from such investment, in the same manner and to the same parties as the rents, issues and profits of the said land were payable previously to the sale thereof.

39. It shall be the duty of the said court to make such order as to the investment and payment of the purchase money and the interest arising therefrom as may meet the circumstances of each case, so that widows entitled to dower, infants, judgment creditors, mortgagees, and all persons entitled to any estate or interest in the said lands, or the rents arising or to arise therefrom, or the arrears thereof, may receive either the interest of the said purchase money when invested, as aforesaid, or the purchase money or shares thereof, as shall represent their estate or interest in said lands, or the rents arising therefrom, or the arrears thereof, previous to the vesting of the same in the commissioners of public lands, as aforesaid.

40. In every case, when such lands have been vested in trustees, the purchase money shall be paid to such trustees, to hold the same upon the same trusts as they held the lands; and when there are no trustees the Supreme Court shall have power to appoint trustees, and shall, by an order or rule of court, declare the trusts upon which they shall hold the said purchase money, and the manner in which the purchase money shall be invested.

41. The Supreme Court shall have power to dismiss any trustee or trustees so appointed by them, and appoint a trustee or trustees in the room or stead of the trustees so dismissed.

42. The said commissioners shall be paid by the Government of this Province for their services, under and by virtue of this Act, \$10 per day for each and every day such commissioners shall actually be engaged in duties imposed upon them by this Act, or by any reference in pursuance thereof, and such other reasonable remuneration as the Lieutenant-Governor in Council shall consider them entitled to.

43. The public trustee shall be allowed such remuneration for his services as the Lieutenant-Governor in Council shall deem him entitled to under the circumstances of each case, which shall be paid by the Government of this Province.

44. No award made by the said commissioners, or any two of them, shall be held or deemed to be invalid or void for any reason, defect or informality whatsoever, but the Supreme Court shall have power, on the application of either the commissioner of public lands or the proprietor, to remit to the commissioners any award which shall have been made by them to correct any error, or informality, or omission made in their award: Provided, always, that any such application to the Supreme Court to remit such award to the commissioners shall be made within thirty days after the publication thereof, as aforesaid; and provided further, that in case any such award is remitted back to the commissioners they shall have full power to revise and re-execute the same, and their powers shall not be held to have ceased by reason of their executing their first award, and in no case shall any appeal lie from any such award, either to the Supreme Court, the Court of Chancery, or any other legal tribunal; nor shall any such award, or the proceedings before such

commissioners, be removed or taken into or inquired into by any court by *certiorari*, or any other process, but with the exception of the aforesaid power given to such Supreme Court to remit back the matter to such commissioners, their award shall be binding, final, and conclusive on all parties.

45. The Supreme Court shall have power to make any rules and regulations not inconsistent with the provisions of this Act, for the purpose of more effectually carrying out the requirements of this Act, which rules shall be published in the *Royal Gazette* newspaper.

46. Inasmuch as it is expedient that the matters referred to the Supreme Court under this Act shall not interfere with the ordinary business of the said court during term time, the said court may, from time to time, appoint sessions for the purpose of hearing proceedings under this Act: Provided, always, that one week's notice of such session be given in the *Royal Gazette* newspaper.

47. If the commissioner of public lands shall neglect to proceed with any case pending before the commissioners, or shall refuse to petition the commissioners to appoint a time and place to hear the matters referred to them, under the thirteenth section of this Act, when requested by any proprietor who shall have appointed a commissioner so to do, or who shall delay or impede the proceedings in any way, such commissioner of public lands shall, upon proof thereof, before the Supreme Court, be punished by fine or imprisonment.

48. After the commissioner of public lands shall have given notice to any proprietor, under the second section of this Act, no such proprietor to whom such notice shall have been given shall maintain any action at law for the recovery of more than the current year and subsequent accruing rents due to him from any tenant or occupier upon his lands, and in case any such action is brought against any tenant by any such proprietor, such tenant may plead this Act in bar of such action, nor shall any execution issue on any judgment recovered, or to be recovered, for rent by any such proprietor against any tenant on this island, except the current year's rent and subsequent accruing rents, and in case any such execution is issued, the Supreme Court, or a judge thereof, shall, on application, stay any such execution until the award of the said commissioners shall be made.

49. This Act shall be cited and known as "The Land Purchase Act, 1875."

(A.)

Dominion of Canada, }  
Province of Prince Edward Island. }

In the matter of the application of X. Y., the commissioner of public lands for the purchase of the estate of A. B. and "The Land Purchase Act, 1875."

I certify that the sum of \_\_\_\_\_ has been placed to the credit of the account opened in the above matter, which said amount will be paid to such party or parties as the Supreme Court shall, by rule in the above matter, order and direct.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 187

Treasurer.

(B.)

Dominion of Canada, }  
Province of Prince Edward Island. }

In the matter of X. Y., the commissioner of public lands for the purchase of the estate of A. B. and "The Land Purchase Act, 1875."

Know all men by these presents that I, C. D., the public trustee, duly appointed under the provisions of "The Land Purchase Act, 1875," do, by these presents, and by Virtue of this Act (the sum of \_\_\_\_\_ dollars having been paid into the treasury of this Province in the above matter, as appears by the certificate of the Treasurer of said Province, hereto annexed), grant unto X. Y., the commissioner of public lands, and his successors in office, all that (here describe land particularly by metes and bounds) to have and to hold the same, together with all arrears of rent due thereon to the said X. Y., commissioner of public lands, and his successors in



office, in trust for such purposes, and subject to such powers, provisions, regulations and authorities in every respect, and to be managed and disposed of in such modes as are set forth, declared and contained in an Act passed in the sixteenth year of the reign of Her present Majesty, Queen Victoria, chap. 18, intituled, "An Act for the purchase of lands on behalf of the Government of Prince Edward Island, and to regulate the sale and management thereof, and for other purposes therein mentioned," and of all other acts in amendment thereof and concerning lands purchased thereunder by and conveyed to the commissioner of public lands therein mentioned.

In witness whereof, I have hereunto set my hand and seal this       day of  
A.D. 187    .

Witness to the execution by the said C. D.

A true copy, which I certify.

FREDK. BRECKEN, *Attorney-General.*

CHARLOTTETOWN, P.E.I., 11th May, 1875.

REPORT of a Committee of the Honorable the Privy Council, approved by His Excellency the Administrator of the Government in Council on the 14th June, 1875.

The Committee of the Privy Council have had under consideration the report hereunto annexed from the Hon. the Minister of Justice, in reference to an Act passed by the Legislature of Prince Edward Island during the last Session thereof, intituled, "The Land Purchase Act, 1875," and they respectfully submit their concurrence in the said report, and accordingly advise that the said Act receive the assent of Your Excellency in Council.

Certified.

W. A. HIMSWORTH, *Clerk Privy Council, Canada.*

DEPARTMENT OF JUSTICE, CANADA, OTTAWA, 26th May, 1875.

The undersigned has the honor to report:—

That at the last Session of the Legislature of Prince Edward Island a Bill was passed by both Houses, intituled, "The Land Purchase Act, 1875," which has been reserved by the Lieutenant-Governor for the signification of the pleasure of Your Excellency in Council.

The objects in this Bill are the same as those contemplated in the Bill passed during the previous Session, intituled, "The Land Purchase Act, 1874," which was also reserved for the signification of Your Excellency's pleasure, but which was not assented to by Your Excellency, for reasons contained in a report of the Minister of Justice of the 23rd December, 1874. By referring to this report it will be observed that the reason adduced for withholding Your Excellency's assent was chiefly that no provision was made for an impartial arbitration, or in which the proprietors would have a representation in arriving at the value of their property; neither did it seem to provide for a speedy determination of the matters in dispute between the parties interested.

In the Bill which is now referred those objections have been removed, and a fair representation of the interests of all parties concerned has been provided for, and an impartial tribunal has been insured to each proprietor, the Bill providing for the appointment of three arbitrators—one to be named by the land proprietor, another to be named by the Lieutenant-Governor in Council, and the third by Your Excellency in Council.

The undersigned is of opinion that the subject dealt with in the Bill is one coming within the competence of a Provincial Legislature, and inasmuch as the objectionable features of the previous Bill have been removed, the undersigned recommends that the reserved Bill, intituled, "The Land Purchase Act, 1875," receive the assent of Your Excellency in Council.

T. FOURNIER, *Acting Minister of Justice.*

To His Excellency the Right Honorable Sir John Douglas Sutherland Campbell (commonly called the Marquis of Lorne), Knight of the Most Ancient and Most Noble Order of the Thistle, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Governor General of Canada, and Vice-Admiral of the same, &c., &c., &c.

We, Her Majesty's most dutiful and loyal subjects, the Legislative Council and House of Assembly of Prince Edward Island, in General Assembly convened, approach Your Excellency in Council, and represent :

1. That by the Treaty of Washington, 1871, it was among other things agreed upon by the high contracting parties thereto, that in addition to the liberties secured to the United States fishermen by the Convention of 1818, the citizens of the United States should have, in common with the subjects of Her Britannic Majesty, the liberty, for a term of years specified, to take fish of certain kinds on the sea coasts and shores, and in the bays, harbors and creeks of the Provinces of Quebec, Nova Scotia and New Brunswick, and the colony of Prince Edward Island, without being restricted to any distance from the shore, and with permission to land thereon for the purpose of drying their nets and curing their fish; and it was provided that such foregoing agreement should take effect as soon as the laws required to carry it into operation should have been passed by the Imperial Parliament of Great Britain, by the Parliament of Canada, and by the Legislature of Prince Edward Island, on the one hand, and by the Congress of the United States on the other.

2. That in a despatch dated at Downing Street, 17th June, 1871, enclosing to Lieut.-Gov. Robinson copies of the Treaty of Washington, and other documents, Her Majesty's Government strongly urged upon the Government of Prince Edward Island that, for certain reasons stated in the despatch of Earl Kimberly to the Governor General of Canada, the application made by the United States Government should be acceded to by this island, so that American fishermen might be at once allowed, during that season, the provisional use of the privileges granted to them by the Treaty of Washington.

3. That in deference to the wishes of the Imperial Government, the Government of Prince Edward Island promptly sanctioned the admission, on 24th July, 1871, of American fishermen to the liberty which was intended to be secured to them by the Treaty of Washington.

4. That the Treaty of Washington was ratified by the Legislature of Prince Edward Island on the 29th day of June, 1872.

5. That thereafter Prince Edward Island was, as a separate Government, and a consenting party to the treaty, entitled to a share of any award which, under the Treaty of Washington, the commissioners appointed thereunder might make in favor of the Imperial Government.

6. That Prince Edward Island entered the Confederation of the Dominion of Canada, on the 1st day of July, 1873, upon certain terms and conditions set forth in the Order of the Queen in Council, dated 26th June, 1873.

7. That in the said terms of Union no mention is made of any surrender to the General Government of the fisheries, or any compensation accruing to Prince Edward Island by reason of her ratification of the Treaty of Washington.

8. That the commissioners appointed under the provisions of the Treaty of Washington, upon the 23rd November, 1877, awarded the sum of \$5,500,000 to be paid by the Government of the United States to the Government of Her Britannic Majesty as a compensation in return for the privileges accorded to the citizens of the United States under article 18 of the Treaty.

9. That the Imperial Government has paid over to the Government of Newfoundland the sum of \$1,000,000 as the share of that colony in the said award.

10. That had the amount of the award been paid over to Great Britain before the admission of this Province into the Confederation, Prince Edward Island would have obtained her share thereof, in the same way as Newfoundland, which amount, under the provisions of the 107th section of the British North America Act, would, on the entry of the island into the Union, have been taken in reduction of the debt of the Province at that time.



11. That the evidence taken before the commission at Halifax tended to prove that it was there admitted by the United States agent that the mackerel fisheries around the coast of Prince Edward Island are the most valuable of any conceded to the Americans by the Treaty of Washington; that mackerel constitute 65 per cent. of the whole catch taken by the United States fishermen in British waters, and that their great value contributed very largely to the making of the award in favor of Great Britain.

12. That Prince Edward Island having no mines nor extensive forests, is wholly dependent upon its fisheries and its agricultural sources of wealth, and from its insular position, cannot possibly participate in the numerous advantages possessed by the other Provinces in their railways, canals and other large public works.

13. That the only important public work in Prince Edward Island, viz., the railway, was built at the proper cost of the people of the Province, and the expense of its construction was charged against the island in the settlement of the terms of Confederation.

14. That owing to the very large extent to which the Americans, in the exercise of their privileges under the Treaty of Washington, use the fisheries of Prince Edward Island, and the destructive modes of fishing employed by them, it is almost certain that those fisheries, when restored to the island, will be much less valuable than formerly, and that thus the value of property connected therewith will be depreciated, and consequently the revenues of the Province reduced—that even now the loss of the monopoly hitherto enjoyed by our fishermen in the valuable fisheries surrounding our shores is productive of the same prejudicial result.

15. That the Government of Prince Edward Island intimated to Earl Kimberly their dissatisfaction with the provisions of the Treaty of Washington, and their regret that the compensation to be awarded had not assumed the form of another reciprocity treaty, or of some tariff concessions authorizing the free admission of the products of her agriculturists; yet stated their willingness to accept any reasonable money compensation in addition to the privileges granted by the treaty, at the same time expressing their fears that under the treaty nothing of the kind was guaranteed, to which Earl Kimberly replied, that he did not understand why the Prince Edward Island Government should object to the reference of the question of the money compensation to arbitration, which seemed to him to be the fairest way of determining such a point.

16. That failing the adoption of the commercial arrangement so ardently desired, and as it was strongly impressed by Earl Kimberly, in his despatch of 17th of June, 1873, "that it could not reasonably be expected that Great Britain should, for an indefinite period, incur the constant risk of serious misunderstanding with the United States, in order to endeavor to force the American Government to change its commercial policy," Prince Edward Island, in deference to the wish of the Imperial Government thus expressed, and being most unwilling to throw any obstacle in the way of an amicable settlement of other causes of difference between Great Britain and the United States, reluctantly agreed to accept such money compensation as might be awarded, and subsequently passed the Act giving effect to the treaty.

17. That under the terms of confederation with the Dominion of Canada, Prince Edward Island having surrendered to the General Government the control of her commercial interests and the regulation of her tariff, there exists a still more cogent reason why she should receive the benefit of any money compensation awarded for the use of her fisheries by the citizens of the United States.

18. That the award of \$5,500,000 was evidently intended as a compensation to those Provinces territorially possessing the privileges conceded to the Americans, and in no wise in the nature of compensation to the General Government for loss of revenue consequent upon the free admission into Canada of certain United States products, nor to any benefits accruing to United States citizens by the opening of ports, inasmuch as the commission decided that it was not competent for them to award any compensation for commercial intercourse between the two countries, and excluded from their consideration any advantages resulting from the purchase by

the Americans of supplies, and from their being allowed to trans-ship cargoes in British waters.

19. That the right of Prince Edward Island in the fisheries around her coast, previous to Confederation, was a colonial right, and that principle has been acknowledged by the equitable way in which the claims of Newfoundland have been adjusted by the Imperial Government.

20. That the British North America Act, in conferring authority upon the General Government to legislate upon our fisheries, did not contemplate thereby the right to sell or otherwise dispose of them, but merely for the purposes of protection and improvement; and that, in fact, the disposal of these fisheries was made by Prince Edward Island, as a separate Government, in 1871, two years before her connection with the Dominion, and in the settlement of the terms of Confederation, no surrender of the consideration to be paid by the Americans was made to the General Government.

21. That the General Government having assumed the protection of the fisheries, would not be justified in applying the amount of the award to assist in carrying out an agreement which they are bound to fulfil under any circumstances, and the cost of which is chargeable to the general revenue fund of Canada.

22. That if, in the case of Newfoundland, where there are no fisheries within the territorial waters of that island of which the Americans make any use—where, as in every other place, the cod fishery is allowed in the open sea; and no herring, mackerel or other fishery is pursued by the Americans within the jurisdictional limits, the sum of \$1,000,000 was considered that island's fair proportion, we submit that, in the case of Prince Edward Island, where, as has been proved, the most valuable fisheries opened to the Americans exist, and which possesses no internal sources of wealth, as do the other Provinces, and whose people are entirely dependent upon their fishing and agricultural pursuits for their livelihood, the sum of \$1,250,000 cannot be considered an unreasonable amount to be set aside for the benefit of this Province.

We therefore humbly pray that Your Excellency in Council will take the premises into your serious consideration; and after careful examination of the facts order the funding, for the benefit of this Province, of the sum of \$1,250,000, which we humbly submit Prince Edward Island is legally and equitably entitled to receive from the Imperial Government as her share of the award made by the commissioners under the provisions of the Treaty of Washington, 1871.

And, as in duty bound, they will ever pray.

Ordered, That the said Address be engrossed.

On motion of the Hon. Mr. Sullivan, seconded by Mr. Yeo,—

Resolved, That a committee be appointed to join a committee of the Legislative Council, to prepare an Address to His Honor the Lieutenant-Governor, requesting that His Honor will be pleased to transmit the humble Address of both Houses to His Excellency the Governor General, relating to the claims of this Province to a proportional share of the sum awarded by the commission appointed under the Treaty of Washington, as compensation for privileges accorded the citizens of the United States under article 18 of that treaty.

Ordered, That the same committee who prepared the Address to His Excellency the Governor General be a committee on the part of this House to prepare the said Address to His Honor.

Ordered, That the said Resolution be communicated by Message to the Legislative Council.

Ordered, That the Hon. Mr. Sullivan do carry the said Message to the Council.



A Message from the Council, by Mr. Ball, their Clerk :—

LEGISLATIVE COUNCIL CHAMBER, 7th June, 1879.

EXTRACT of *Minutes of the Executive Council of Prince Edward Island.*

COUNCIL CHAMBER, 19th February, 1879.

At a meeting of the Executive Council in committee.

*Present :*

Hon. Mr. DAVIES,  
do YEO,  
do LAIRD,  
do STEWART,

Hon. Mr. DODD,  
do ROBERTSON,  
do McMILLAN,  
do FARQUHARSON,

The following Minute was adopted and ordered to be handed to His Honor the Lieutenant Governor for transmission to the Dominion Government :—

The Executive Council in committee, having had under consideration the award of \$5,500,000, made in favor of Great Britain, by the Fishery Commission, appointed under the provisions of the Treaty of Washington, and the special claims which this Province has to a portion thereof, beg to submit the following remarks for the consideration of the Government of the Dominion of Canada :—

1. One great contention between the respective Governments of Great Britain and the United States, before that commission, was, whether the fish caught by American fishermen was taken within or outside of what is known as the three mile limit. A vast preponderance of the evidence showed clearly that two-thirds or three-fourths of the mackerel taken by the Americans was caught within that limit, and the award of the commission was made upon that basis, and could be sustained upon no other.

2. The fisheries within such limit around the coasts of this island are among the most valuable of any conceded to the Americans, and were so spoken of, not only by the witnesses produced on the part of Her Majesty's Government, but also by those who gave evidence on the part of the United States. The Hon. Mr. Foster, the United States agent, and one of her leading counsel before the commission, in his able closing address, admitted "that the three mile limit off the bend of Prince Edward Island and down by Margaree, were the two points to which almost all the evidence of inshore fishing in this case related." A very large proportion of the testimony respecting the catch of mackerel by American vessels referred to the "bend or bight of this island," and a universal consensus of opinion existed as to the wonderful richness of the mackerel fishery in these parts. It is submitted, therefore, under the evidence, that no reasonable doubt can exist that the great value of these particular fishing grounds, the eagerness with which the Americans have always sought access to them, and the great quantities of mackerel which they have been accustomed to catch there, contributed materially to the award made in favor of Great Britain.

3. These fisheries have always constituted and been looked upon as one of the great sources of wealth of this Province. Destitute of all mines and minerals; without manufactures, or any of those facilities by which they can be successfully established; our limited supply of lumber becoming rapidly exhausted; isolated from the mainland and consequently deprived of the advantages which our more fortunate neighbors in the adjoining Provinces enjoy, from the great canals, locks and railways, which the liberality of the Dominion Government has provided, our Province and its people have had to rely, and in the future, more than ever, must rely, upon their agricultural and fishing productions alone.

4. The Treaty of Washington, under the provisions of which the fishery commission sat and made their award, was ratified by the Legislature of this Province on the 29th day of June, 1872, and before it had become a part of the Dominion. The right of each separate province to receive such a proportion of the award as the value of its fisheries bears to the entire fishing privileges opened to the United States fishermen by the Treaty of Washington has already been recognized by Great

tain in the case of Newfoundland, and being based upon the commonest principles of justice and fair play, cannot be questioned. This Province became a part of the Dominion on the 1st July, 1873, the day on which the provisions of the Fishery Articles of the Treaty of Washington came into force; its right, therefore as a separate Province, to make any representation to Great Britain for payment of any proportion of this award, ceased, and it now becomes necessary to press the claims upon the Dominion, to which the balance of the award, after deducting Newfoundland's portion, has been paid.

5. The terms of the Union agreed upon between this island and the Dominion were naturally silent upon this subject. The appointment of the commission, although agreed upon by the terms of the treaty, had not then been made. The amount of its award could not even be approximated, and any allowance to this Province, as and for its share, was at that time out of the question. The silence, however, of the terms of confederation and the delays in the constitution of the commission cannot, it is submitted, in any way prejudice the rights of this Province. The island did not, either was it asked to, surrender its rights to a fair proportion of whatever sum might be awarded, nor was any equivalent offered or accepted in lieu of it. That right was a territorial one, which, had the Island remained out of Confederation, could now be at once recognized, as in the case of Newfoundland. It remains intact to this day, and it was, we believe, understood by the gentlemen who negotiated the terms of Union that it should so remain until the award was made and paid over. It is quite true, that by the British North America Act the exclusive legislative authority of the Parliament of Canada extends (*inter alia*) to the sea coast and inland fisheries, but no reasonable construction of this language can entitle the General Government exclusively to the money paid by the Americans for the privilege to enter and fish for twelve years in the territorial waters of this Province. That right was not granted by the Parliament of Canada, but by the Legislature of this island, when it was a separate Province, in the legislation of 1812, by which the Treaty of Washington was ratified. It was granted upon the clear understanding that its value should be estimated by impartial commissioners, and, when estimated, should be paid by the United States to Great Britain for the benefit of those entitled to it. That estimate has been made, and embraced in the calculation of similar privileges conceded by the Dominion of Canada apart from Prince Edward Island; and unless it can be clearly shown that this Province has deliberately surrendered its right in this particular, the only question remaining for determination is the proportion of the award which this Province is entitled to receive.

6. The concession of the privileges granted the Americans by the Treaty of Washington, so far as they relate to this island, have operated, and will continue to operate, strongly against the fishermen, depriving them of the monopoly which practically they enjoyed from their proximity to the rich fisheries of the Gulf, and thus materially reducing the profits and wealth of a large percentage of the population. The result of this upon the Government of the Province is necessarily injurious; the taxable property within its jurisdiction is depreciated very largely in value; the volume of capital invested in the fisheries, and which, for some years before coming into force of the Treaty of Washington, had largely increased, offers, and will continue to offer, smaller returns than otherwise it would, and the losses, direct and indirect, fall solely on the Province and its inhabitants. If, on the other hand, the money awarded, and which was intended in some measure as compensation to the Provinces territorially possessing the privileges conceded to the Americans, is to be shared by the far off Provinces of British Columbia, Manitoba and the rich Province of Ontario, which have only a general and indirect interest in the subject, it is submitted that the Maritime Provinces, and Prince Edward Island especially, will suffer a great wrong. Had the territorial rights of this Province in its fisheries, and also its right to participate in any award made pursuant to the Treaty of Washington, been surrendered in return for some concession or consideration granted by the Dominion Government, then no matter how grievous it might appear, that, as a Province, we were not to share in the money awarded, still no complaint would be justi-



fiable; but, as already has been shown, no surrender has been made. The ratification of the treaty was enacted by our Legislature before Confederation; the authority to legislate upon our fisheries, vested in the Dominion by the British North America Act, does not imply a right to sell or rent them; the sale or rental of them to the Americans was not, so far as this island is concerned, made by the Dominion; the purchase money or rental paid by the Americans for the right to use them for twelve years has never been assigned away by this Province. The terms of Union agreed upon between this island and the Dominion, while expressly providing that Canada should assume and defray all charges for protection of the fisheries, are entirely silent as to the surrender by this Province of its rights under the Treaty of Washington. To imply such a surrender would be a forced and unnatural construction of a compact which is so particular and exact in its definitions of the rights and privileges conceded by the Dominion to the Province, and the Province to the Dominion.

7. The Council in committee feel assured that the Dominion Government will, after a careful examination of the facts, acknowledge the right of this Province to be paid a fair proportion of the award. To determine what that proportion justly amounts to is no easy matter; it is naturally incapable of being reduced to an arithmetical certainty, but this much is clear, that if, as between the Dominion and Newfoundland, the sum of \$1,000,000 was deemed the latter's fair portion, no less sum could, with justice, be offered this Province. The Council in committee repeat, without in any way disparaging the claims of any of the other Provinces, that the evidence taken before the commission, and which they have carefully examined, places the fisheries of this Province among the most valuable in the Gulf of St. Lawrence, and of those most eagerly sought for by the Americans. They further submit that no appropriation of our share of the award by the General Government for the construction of public works would be just or satisfactory; that the plan which best recommends itself to the people of this Province, and which, in itself, is most just, would be the funding of the amount by the Dominion Government, for the benefit of this island, and the payment thereto, semi-annually, of the interest for the purposes of its local administration.

In conclusion, the Council in committee repeat that Prince Edward Island is legally entitled to be paid a portion of the award made under the Treaty of Washington, and secured by the Dominion of Canada, and that the sum of \$1,250,000 is its fair and just proportion.

Certified,  
WILLIAM C. DESBRISAY, *Clerk Executive Council.*

### RETURN.

(73)

To an ADDRESS of the SENATE, dated 14th March, 1879;—For copies of all correspondence, Minutes of Council or other documents which have passed between the Local Government of Prince Edward Island and the Government of the Dominion, having reference to the award of the Fishery Commission, or to the disposal thereof.

By command.

J. C. AIKINS, *Secretary of State.*

Department of the Secretary of State, Ottawa, 24th March, 1879.

*Province of Prince Edward Island.*

GOVERNMENT HOUSE, 19th February, 1879.

SIR,—I have the honor to transmit a copy of a Minute made by my Council, setting forth the just claim of this Province to participate in the amount awarded to be paid by the American Government, under the Treaty of Washington, as a compensation for the fish taken by American citizens on the coasts and shores of the respec-

ve Provinces of the Dominion, and proposing a mode for securing to this Province, y funding the principal, the annual interest of the sum which they conceive this rovince to be justly entitled to, and which proposal, it is hoped, will receive the vorable consideration of His Excellency's Government.

I have the honor, &c.,

R. HODGSON, *Lieutenant-Governor.*

lon. the Secretary of State, Ottawa.

EXTRACT from a Minute of the Executive Council of Prince Edward Island.

COUNCIL CHAMBER, 19th February, 1879.

At a meeting of the Executive Council in committee.

*Present :*

Hon. Mr. DAVIES,  
do YEO,  
do LAIRD,  
do STEWART,

Hon. Mr. DODD,  
do MACMILLAN,  
do FARQUHARSON,  
do ROBERTSON.

The following Minute was adopted and ordered to be handed to His Honor he Lieutenant-Governor for transmission to the Government of the Dominion of anada :—

The Executive Council in committee, having had under consideration the award f \$5,500,000 made in favor of Great Britain by the Fishery Commission appointed nder the provisions of the Treaty of Washington, and the special claims which this rovince has to a portion thereof, beg to submit the following remarks for the con- sideration of the Government of the Dominion of Canada :—

1. One great contention between the respective Governments of Great Britain nd the United States before that commission was whether the fish caught by merican fishermen was taken within or outside of what is known as the three mile mit. A vast preponderance of the evidence showed clearly that two-thirds or three- ourths of the mackerel taken by the Americans was caught within that limit, and he award of the commission was made upon that basis, and could be sustained upon o other.

2. The fisheries within such limit around the coasts of this island are among the most valuable of any conceded to the Americans, and were so spoken of, not only by he witnesses produced on the part of Her Majesty's Government, but also by those ho gave evidence on the part of the United States. The Hon. Mr. Foster, the United States agent, and one of her leading counsel before the commission, in his ble closing address, admitted "that the three mile limit off the bend of Prince Edward Island and down by Margaree were the two points to which almost all the vidence of inshore fishing in this case related."

A very large proportion of the testimony respecting the catch of mackerel by American vessels, referred to the "bend or bight of this island," and a universal onsensus of opinion existed as to the wonderful richness of the mackerel fishery in hese parts. It is submitted, therefore, under the evidence, that no reasonable doubt an exist that the great value of these particular fishing grounds, the eagerness with hich the Americans have always sought access to them, and the great quantities of mackerel which they have been accustomed to catch there, contributed materially to he award made in favor of Great Britain.

3. These fisheries have always constituted and been looked upon as one of the great sources of wealth of this Province. Destitute of all mines and minerals ; with- out manufactures or any of those facilities by which they can be successfully estab- lished ; our limited supply of lumber becoming rapidly exhausted ; isolated from the mainland and consequently deprived of the advantages which our more fortunate eighbors in the adjoining Provinces enjoy, from the great canals, locks and railways hich the liberality of the Dominion Government has provided, our Province and its eople have had to rely, and in the future, more than ever, must rely, upon their gricultural and fishing productions alone.



4. The Treaty of Washington, under the provisions of which the Fishery Commission sat and made their award, was ratified by the Legislature of this Province on the 29th day of June, 1872, and before it had become a part of the Dominion. The right of each separate Province to receive such a proportion of the award as the value of its fisheries bears to the entire fishing privileges opened to the United States fishermen by the Treaty of Washington, has already been recognized by Great Britain in the case of Newfoundland, and being based upon the commonest principles of justice and fair play, cannot be questioned. This Province became a part of the Dominion on the 1st July, 1873, the day on which the provisions of the fishery articles of the Washington Treaty came into force; its right as a separate Province, therefore, to make any representation to Great Britain for payment of any portion of this award ceased, and it now becomes necessary to press the claim upon the Dominion, to which the remainder of the award, after deducting Newfoundland's portion, has been paid.

5. The terms of Union agreed upon between this island and the Dominion are, naturally, silent upon the subject. The appointment of the commission, although agreed upon by the terms of the treaty, had not then been made. The amount of the award could not even be approximated, and any allowance to this Province, as and for its share, was, at that time, out of the question. The silence, however, of the terms of Confederation, and the delays in the constitution of the commission, cannot, it is submitted, in any way prejudice the rights of this Province. The island did not, neither was it asked to, surrender its right to a fair proportion of whatever sum might be awarded, nor was any equivalent offered or accepted in lieu of it. That right was a territorial one, which, had the island remained out of Confederation, would now be at once recognized, as in the case of Newfoundland. It remains intact to this day, and it was, we believe, understood by the gentlemen who negotiated the terms of Union that it should so remain until the award was made and paid over. It is quite true that by the British North America Act the exclusive legislative authority of the Parliament of Canada extends (*inter alia*) to the sea coast and inland fisheries, but no reasonable construction of this language can entitle the General Government exclusively to the money paid by the Americans for the privilege to enter and fish, for twelve years, in the territorial waters of this Province. That right was not granted by the Parliament of Canada, but by the Legislature of this island, when it was a separate Province, in the Legislation of 1872, by which the Treaty of Washington was ratified. It was granted upon the clear understanding that its value should be estimated by impartial commissioners, and, when estimated, should be paid by the United States to Great Britain for the benefit of those entitled to it. That estimate has been made, and embraced in the calculation of similar privileges conceded by the Dominion of Canada, apart from Prince Edward Island, and unless it can be clearly shown that this Province has deliberately surrendered its right in this particular, the only question remaining for determination is the proportion of the award which this Province is entitled to receive.

6. The concession of the privileges granted to the Americans by the Treaty of Washington, so far as they relate to this island, have operated, and will continue to operate, strongly against her fishermen, depriving them of the monopoly which, practically, they enjoyed from their proximity to the richest fisheries of the Gulf, and thus materially reducing the profits and wealth of a large percentage of the population. The result of this upon the Government of the Province is necessarily injurious—the taxable property within its jurisdiction is depreciated very largely in value. The volume of capital invested in the fisheries, and which, for some years before the coming into force of the Washington Treaty, had largely increased, offers, and will continue to offer, smaller returns than otherwise it would, and the losses direct and indirect, fall solely on the Province and its inhabitants. If, on the other hand, the money awarded—and which was intended, in some measure, as compensation to the Provinces territorially possessing the privileges conceded to the Americans—is to be shared by the far off Provinces of British Columbia, Manitoba and the rich Province of Ontario, which have only a general and indirect interest in the subject, it is submitted

that the Maritime Provinces, and Prince Edward Island especially, will suffer a great wrong. Had the territorial rights of this Province in its fisheries, and also its right to participate in any award made pursuant to the Treaty of Washington, been surrendered in return for some concession or consideration granted by the Dominion Government, then no matter how grievous it might appear that, as a Province, we were not to share in the money awarded, still no complaints would be justifiable; but, as already has been shown, no such surrender has been made.

The ratification of the treaty was enacted by our Legislature before Confederation—the authority to legislate on our fisheries, vested in the Dominion by the British North America Act, does not imply a right to sell or rent them; the sale or rental of them to the Americans was not, so far as this island is concerned, made by the Dominion—the purchase money or rental paid by the Americans for the right to use them for twelve years has never been assigned away by the Province.

The terms of Union agreed upon between this island and the Dominion, while expressly providing that Canada should assume and defray all charges for the protection of the fisheries, are entirely silent as to the surrender by this Province of its rights under the Treaty of Washington. To imply such a surrender would be a forced and unnatural construction of a compact which is so particular and exact in its definitions of the rights and privileges conceded by the Dominion to the Province and the Province to the Dominion.

7. The Council in committee feel assured that the Dominion will, after a careful examination of the facts, acknowledge the right of the Province to be paid a fair proportion of the award. To determine what that proportion justly amounts to is no easy matter; it is naturally incapable of being reduced to an arithmetical certainty; but this much is clear, that if, as between the Dominion and Newfoundland, the sum of one million dollars was deemed the latter's fair portion, no less sum could, with justice, be offered to this Province. The Council in committee repeat, without in any way disparaging the claims of other Maritime Provinces, that the evidence taken before the commission, and which they have carefully examined, places the fisheries of this Province among the most valuable in the Gulf of St. Lawrence, and of those most eagerly sought for by the Americans.

They further submit that no appropriation of our share of the award by the General Government for the construction of public works would be just or satisfactory; that the plan which best recommends itself to the people of this Province, and which, of itself, is most just, would be the funding of the amount by the Dominion Government, for the benefit of this island, and the payment thereto, semi-annually, of the interest, for the purposes of its local administration.

8. In conclusion, the Council in committee repeat that Prince Edward Island is legally entitled to be paid a portion of the award made under the Treaty of Washington and received by the Dominion of Canada; and that the sum of one million and two hundred and fifty thousand dollars is its fair and just proportion.

Certified.

WILLIAM DESBRISAY, *Clerk Executive Council.*

DEPARTMENT OF THE SECRETARY OF STATE, OTTAWA, 5th March, 1879.

SIR,—I am directed to acknowledge the receipt of your despatch, No. 6, of the 9th ult., enclosing a copy of a Minute of your Executive Council, setting forth the claim of Prince Edward Island to a participation in the amount awarded by the Fishery Commission appointed under the provisions of the Treaty of Washington.

I have, &c.,

E. J. LANGEVIN, *Under Secretary of State.*

His Honor the Lieutenant-Governor, Prince Edward Island, Charlottetown.

On motion of Mr. Yeo, seconded by Mr. Farquharson,—

And the question being proposed,

That the House do come to the following resolutions:—

Whereas the Executive Council of this island did, on the 19th February, 1879, adopt a minute setting forth, for the information of the Government of the Dominion,



certain grounds upon which this Province laid claim to a share of the \$5,500,000 awarded in favor of Great Britain, by the commissioners appointed under the provisions of the Treaty of Washington, which Minute was duly forwarded by the Lieutenant-Governor to the Dominion Government.

And whereas the Legislative Council and the House of Assembly of this Province, by a Joint Address to His Excellency the Governor General, unanimously passed at the Session of the Legislature held in the year 1879, did affirm the right of this Province to receive \$1,250,000 as its just share of said award, and did set forth at length in such Address the grounds upon which such right was based, which Joint Address was also duly forwarded by the Lieutenant-Governor to His Excellency the Governor General.

And whereas, in a despatch from the Secretary of State, Ottawa, to the Lieutenant-Governor of this Province, dated the 11th December, 1879, and laid upon the Table of this House, it is stated as "the opinion of the Government of the Dominion of Canada that this Province is not entitled to make any claim upon the money awarded to be paid for the use of the fisheries by the United States which the other Provinces of the Dominion would not be equally entitled to put forward," but the reasons which induced the Government of the Dominion to come to such conclusion are not in any way referred to in such despatch, and have never been officially communicated to the Government of this island or its Legislature.

And whereas the claim put forward by the Government and Legislature of this Province to a share of the monies awarded and paid by the United States for the use of the fisheries is just in itself, and based upon reasons which, in our opinion, cannot be successfully answered.

Resolved, therefore,—

1. That this House desires again formally to record its firm belief in the right of this island to be paid a fair portion of the said fishery award, and its determination to use all lawful and constitutional means to obtain such payment.

2. That the bald refusal of the Dominion Government to recognize the claim of this Province, unaccompanied, as such refusal was, with any reasons, is unsatisfactory to the Province and discourteous to the Legislature, which unanimously agreed to the Joint Address.

3. That the people of this Province will not, in the opinion of this House, submit to have what they believe to be their just rights arbitrarily ignored, without any reasons assigned, and that the reasons for refusing to acknowledge such claim should have been communicated officially to the Government of this Province and laid before its Legislature.

Resolved, further,—

That the document published by the newspaper press of the Dominion, purporting to be a report of a sub-committee of the Privy Council of Canada, against the claim submitted by this Province, and setting forth that this Province has no special claim to any portion of the fishery award which the other Provinces of the Dominion would not be equally entitled to put forward, because the Government of the United States did not bring the fishery articles of the Treaty of Washington into force until the 1st day of July, 1873—the day this Province entered into Union with the Dominion of Canada—does not, in the opinion of this House, give any answer whatever to the reasons given in the Minute of Council and Joint Address of the Legislature for the special claims advanced by the Province, for the following reasons:—

1st. This Province, when separate and independent, ratified by legislation of its own the fishery articles of the Treaty of Washington, and that such ratification was essential to give force and validity to such fishery articles, so far as they affected, or were intended to affect, the territorial rights of this Province.

2nd. The right to fish within three miles of the coast of this island, conceded to the American fishermen by such treaty, was a territorial one.

3rd. Such concession was made by this island, when separate, upon the distinct agreement embodied in the treaty itself, that the value of the concessions made by

this island, over and above those made to it, should be estimated by impartial commissioners, and paid to Great Britain, together with the amount allowed for similar concessions made by the Dominion of Canada, for the benefit of those entitled to it.

4th. That the terms of Union between this island and the Dominion of Canada, minute and specific as they were, respecting the mutual concessions made by the contracting Governments, were entirely silent respecting the compensation to be awarded to this Province for the concessions made to the Americans, and that the right to receive such compensation, whatever its amount might be, was, at the time of such Union, a vested one, and could not be lost to the island without some surrender or transfer of it by some tribunal authorized to make such surrender or transfer.

5th. The mere accident of the union of this island with the Dominion taking place concurrently with the bringing into force by the President of the United States of the fishery articles of the Washington Treaty, cannot have any effect whatever in transferring from the island to the Dominion a vested right belonging to the island, unless the terms of Union expressly operate in themselves to effect the transfer.

6th. The only effect of such Union, in the opinion of this House, was to make the Dominion of Canada a trustee to receive from Great Britain the island's share of the award, and to hold the same to and for the benefit of the Provincial Government, and that the only question now rightfully open is, not the right to receive anything but the amount of the share the Province is fairly entitled to.

And a debate arising thereupon,

On motion of the Hon. Mr. Macleod, seconded by the Hon. Mr. Ferguson,—  
Ordered, That the debate be adjourned.

On motion of the Hon. Mr. Macleod, seconded by the Hon. Mr. Gavin,—

Resolved, That the House do now resume the adjourned debate on the resolutions submitted to the House on the 17th day of April instant, relating to the claims of this Province to a share of the fishery award under the Washington Treaty.

And the debate continuing,—

And the question being again proposed,—

The Hon. Mr. Sullivan moved, in amendment to the said proposed resolutions, seconded by Mr. Poole,—

To strike out all after the first word "whereas," in the said resolutions, and substitute in lieu thereof the following:—

"At the last Session of the Legislature of this Province a Joint Address from the Legislative Council and House of Assembly to His Excellency the Governor General was passed, setting forth the claim of this Province to a share of the sum awarded to the British Government under the Treaty of Washington.

"And whereas, in a despatch from the Secretary of State, Ottawa, dated 11th December, 1879, it is stated that 'in the opinion of the Government of the Dominion of Canada, this Province 'is not entitled to make any claim upon the money awarded to be paid for the use of the fisheries by the United States which the other Provinces of the Dominion would not be equally entitled to put forward.'

"And whereas, in deference to the wishes of the Imperial Government, the Government of this Province sanctioned the admission, on the 24th July, 1871—a period of nearly two years previously to the treaty coming into operation—of American fishermen to the privileges which were intended to be secured to them by the said treaty.

"And whereas the Government of the Dominion of Canada have declined to favorably entertain the exceptional claim of this Province.

"Resolved, therefore, that a Joint Address from the Legislative Council and House of Assembly be presented to Her Majesty the Queen, praying that Her Majesty will take into consideration the claim of Prince Edward Island for compensation for the use of its fisheries by citizens of the United States, from the 24th July, 1871, to the 1st July, 1873; and also the claim of the Province to a share of the sum awarded under the Treaty of Washington for the use of its fisheries by the said citizens of the United States, for the period of twelve years, from the time the treaty came into operation."



And the debate continuing,—

On motion of the Hon. Mr. Campbell, seconded by the Hon. Mr. Gavin,—

Ordered, That the debate be adjourned.

Then the House adjourned for one hour.

And being met,—

On motion of the Hon. Mr. Campbell, seconded by the Hon. Mr. Macleod,—

Resolved, That the House do now resume the adjourned debate on the resolutions submitted to the House on the 17th day of April, instant, relating to the claims of this Province to a share of the fishery award under the Washington Treaty.

And the debate continuing,—

On motion of Mr. Macdonald (Souris), seconded by Mr. Hooper,—

Ordered, That the debate be adjourned.

COPY of Despatch from the Under Secretary of State at Ottawa, dated 11th December, 1879, in reply to the application of this Province to be paid "her share of the Award made by the Commissioners under the Treaty of Washington."

OTTAWA, 11th December, 1879.

SIR,—I have the honor to inform you that His Excellency the Governor General has had under consideration in Council the application of the Government of the Province of Prince Edward Island to be paid "her share of the award made by the commissioners under the provisions of the Treaty of Washington," and that His Excellency in Council is of opinion that that Province is not entitled to make any claim upon the money awarded to be paid for the use of the fisheries by the United States which the other Provinces of the Dominion would not be equally entitled to put forward.

I have the honor to be, Sir, your obedient servant,

EDOUARD J. LANGEVIN, *Under Secretary of State.*

His Honor the Lieutenant-Governor of Prince Edward Island,

Charlottetown, P.E.I.

No. 7.

CORRESPONDENCE between the Government of Prince Edward Island and the Government of the Dominion of Canada, regarding the claim of the former to a share of the Award made under the provisions of the Treaty of Washington.

*Mr. Sullivan to Sir John A. Macdonald.*

CHARLOTTETOWN, 29th April, 1879.

The Government of Prince Edward Island wish to have an opportunity of placing fully before Dominion Government the island's claim to proportionate share of fishery award, previously to disposal of amount in manner indicated by Mr. Fortin's motion, or otherwise. The island's right is exceptionally strong. I shall be pleased to know your intentions in the matter.

W. W. SULLIVAN.

*Sir John A. Macdonald to Mr. Sullivan.*

OTTAWA, 29th April, 1879.

Mr. Fortin's motion is not prompted by Government. The whole subject will be considered by Government after prorogation here.

JOHN A. MACDONALD.

*Sir John A. Macdonald to Mr. Sullivan.*

OTTAWA, 3rd May, 1879.

Canadian Government are ready to consider any statement of your Government as to claim of fishery award.

JOHN A. MACDONALD.

*Mr. Sullivan to Sir John A. Macdonald.*

CHARLOTTETOWN, 3rd May, 1879.

Engaged at legislation. Should like to have a week or so to furnish statement of island's claim to share of fishery award.

W. W. SULLIVAN.

*Sir John A. Macdonald to Mr. Sullivan.*

OTTAWA, 10th May, 1879.

Take your own time to prepare statement.

JOHN A. MACDONALD.

EXTRACT from *Minutes of Executive Council.*

COUNCIL CHAMBER, 13th June, 1879.

At a meeting of Council.

*Present:* The LIEUTENANT-GOVERNOR, &c., &c., &c.

Ordered, That the Attorney-General and Provincial Secretary be appointed a delegation to proceed to Ottawa for the purpose of presenting the claim of this Province to a proportionate share of the fishery award.

*Mr. Sullivan to Sir John A. Macdonald.*

CHARLOTTETOWN, 13th June, 1879.

Can your Government meet delegation from island Government at Ottawa, about the 20th instant, on fishery award?

W. W. SULLIVAN.

*Sir John A. Macdonald to Mr. Sullivan.*

OTTAWA, 20th June, 1879.

Cabinet think deputation should be postponed till return of Finance Minister from England, in August.

JOHN A. MACDONALD.

*Mr. Sullivan to Sir John A. Macdonald.*

CHARLOTTETOWN, 30th October, 1879.

DEAR SIR,—A delegation from the island Executive would like to meet the Dominion Government at Ottawa, about the 18th November next, relative to the fishery award and other matters. I shall be glad to know whether or not the time named will suit you.

Yours faithfully,

W. W. SULLIVAN.

Sir JOHN A. MACDONALD.

*Sir John A. Macdonald to Mr. Sullivan.*

OTTAWA, 5th November, 1879.

DEAR SIR,—I have the honor to acknowledge the receipt of your letter of the 5th ult. We should be glad to see a delegation from Prince Edward Island at any time. Our friend, Mr. Pope, suggests your coming before and about the 27th instant.

Yours faithfully,

JOHN A. MACDONALD.

Hon. W. W. SULLIVAN.

*Mr. Sullivan to Sir John A. Macdonald.*

RUSSELL HOUSE, OTTAWA, 26th November, 1879.

DEAR SIR,—I arrived here this evening. I shall be glad to know at what time may be permitted to have an interview with you relative to the claim of Prince



Edward Island to a portion of the sum awarded by the Halifax Commission in respect of the fisheries.

Yours faithfully,

W. W. SULLIVAN.

The Right Hon. Sir JOHN A. MACDONALD:

*Sir John A. Macdonald to Mr. Sullivan.*

OTTAWA, 27th November, 1879.

DEAR SIR,—Council meets to-morrow at 3 p. m., when my colleagues and myself will be glad to see you.

Yours very truly,

JOHN A. MACDONALD.

Hon. W. W. SULLIVAN.

Certified.

WILLIAM C. DESBRISAY, *Clerk, Executive Council.*

No. 8.

COPY of Despatch from the Lieutenant-Governor to Secretary of State, Ottawa, dated 10th of June, 1879, transmitting to the Governor General the Joint Address of both Houses, relating to the claims of this Province to a proportionate share of the Fishery Award.

PROVINCE OF PRINCE EDWARD ISLAND,

GOVERNMENT HOUSE, 10th June, 1879.

SIR,—I have the honor to transmit herewith a joint Address from the Legislative Council and Assembly to His Excellency the Governor General, relating to the claims of this Province to a proportionate share of the sum awarded by the Commissioners under the Treaty of Washington, as a compensation for privileges accorded to citizens of the United States under article eighteen of that treaty, and also a Joint Address from the Council and Assembly, requesting me to forward the alluded to Address to His Excellency.

I have the honor to be, Sir, your obedient servant,

R. HODGSON, *Lieutenant-Governor.*

Hon. the Secretary of State, Ottawa.

#### PAPERS

(37a)

For the information of the HONORABLE THE SENATE.

Papers relating to the correspondence between the Government of the Dominion, and the Government and certain Merchants of Prince Edward Island, respecting their claims to a portion of the Fishery Award.

By Command.

J. C. AIKINS, *Secretary of State.*

Department of the Secretary of State, March, 1880.

PROVINCE OF PRINCE EDWARD ISLAND,

GOVERNMENT HOUSE, 19th February, 1879.

SIR,—I have the honor to transmit herewith a copy of a Minute made by my Council setting forth the just claim of this Province to participate in the amount Minute of Council, awarded to be paid by the American Government, under the Treaty of 19th Feb., 1879, of Washington, as a compensation for the fish taken by the American citizens on the coasts and shores of the respective Provinces of the Dominion, and proposing a mode for securing to this Province, by funding the principal, the annual interest of the sum which they conceive this Province to be justly entitled to, and

which proposal, it is hoped, will receive the favorable consideration of His Excellency's Government.

I have the honor to be, Sir, your obedient servant,

R. HODGSON, *Lieutenant-Governor.*

Hon. the Secretary of State, Ottawa.

*EXTRACT from Minutes of the Executive Council of Prince Edward Island.*

COUNCIL CHAMBER, 19th February, 1879.

At a meeting of the Executive Council in Committee.

PRESENT :

Honorable Mr. DAVIS,  
do YEO,  
do LAIRD,  
do STEWART,

Honorable Mr. DODD,  
do MACMILLAN,  
do FARQUHARSON,  
do ROBERTSON.

The following Minute was adopted and ordered to be handed to His Honor the Lieutenant-Governor, for transmission to the Government of the Dominion of Canada.

The Executive Council in Committee having had under consideration the award of \$5,500,000, made in favor of Great Britain by the Fishery Commission appointed under the provisions of the Treaty of Washington, and the special claims which this Province has to a portion thereof, beg to submit the following remarks for the consideration of the Government of the Dominion of Canada.

1. One great contention between the respective Governments of Great Britain and the United States before that Commission was, whether the fish caught by American fishermen was taken within or outside of what is known as the three-mile limit. A vast preponderance of the evidence showed clearly that two-thirds or three-fourths of the mackerel taken by the Americans was caught within that limit, and the award of the Commission was made upon that basis, and could be sustained upon no other.

2. The fisheries within such limit, around the coasts of this island, are among the most valuable of any conceded to the Americans, and were so spoken of, not only by the witnesses produced on the part of Her Majesty's Government, but also by those who gave evidence on the part of the United States. The Hon. Mr. Foster, the United States agent, and one of her leading counsel before the Commission, in his able closing address, admitted "that the three-mile limit off the bend of Prince Edward Island, and down by Margaree, were the two points to which almost all the evidence of inshore fishing in this case related." A very large proportion of the testimony respecting the catch of mackerel by American vessels referred to the "bend or bight of this island," and a universal consensus of opinion existed as to the wonderful richness of the mackerel fishery in those parts. It is submitted, therefore, under the evidence that no reasonable doubt can exist that the great value of these particular fishing grounds, the eagerness with which the Americans have always sought access to them, and the great quantities of mackerel which they have been accustomed to catch there, contributed materially to the award made in favor of Great Britain.

3. These fisheries have always constituted and been looked upon as one of the great sources of wealth of this Province. Destitute of all mines and minerals, without manufactures, or any of those facilities by which they can be successfully established, our limited supply of lumber becoming rapidly exhausted, isolated from the mainland, and consequently deprived of the advantages which our more fortunate neighbors in the adjoining Provinces enjoy from the great canals, locks and railways which the liberality of the Dominion Government has provided, our Province and its people have had to rely, and, in the future, more than ever, must rely, upon their agricultural and fishing productions alone.

4. The Treaty of Washington, under the provisions of which the Fishery Commission sat and made their award, was ratified by the Legislature of this Province



on the 29th day of June, 1872, and before it had become a part of the Dominion. The right of each separate Province to receive such a proportion of the award as the value of its fisheries bears to the entire fishing privileges open to the United States fishermen by the Treaty of Washington, has already been recognized by Great Britain in the case of Newfoundland, and being based upon the commonest principles of justice and fair play, cannot be questioned. This Province became a part of the Dominion on the 1st July, 1873, the day on which the provisions of the fishery articles of the Washington Treaty came into force; its right as a separate Province, therefore, to make any representation to Great Britain for payment of any portion of this award ceased, and it now becomes necessary to press the claim upon the Dominion to which the remainder of the award, after deducting Newfoundland's portion, has been paid.

5. The terms of Union agreed upon between this island and the Dominion are naturally silent upon the subject. The appointment of the commission, although agreed upon by the terms of the treaty, had not then been made, the amount of its award could not even be approximated, and any allowance to this Province, as and for its share, was, at that time, out of the question. The silence, however, of the terms of Confederation, and the delays in the constitution of the commission, cannot, it is submitted, in any way prejudice the rights of this Province. The island did not, neither was it asked, to surrender its right to a fair proportion of whatever sum might be awarded, nor was any equivalent offered or accepted in lieu of it. That right was a territorial one, which, had the island remained out of Confederation, would now be at once recognized, as in the case of Newfoundland. It remains intact to this day, and it was, we believe, understood by the gentlemen who negotiated the terms of Union that it should so remain until the award was made and paid over. It is quite true that, by the British North America Act, exclusive legislative authority of the Parliament of Canada extends (*inter alia*) to the sea coast and inland fisheries, but no reasonable construction of this language can entitle the General Government exclusively to the money paid by the Americans for the privilege to enter and fish for twelve years in the territorial waters of this Province. That right was not granted by the Parliament of Canada, but by the Legislature of this island, when it was a separate Province, in the legislation of 1872, by which the Treaty of Washington was ratified. It was granted upon the clear understanding that its value should be estimated by impartial commissioners, and, when estimated, should be paid by the United States to Great Britain for the benefit of those entitled to it. That estimate has been made and embraced in the calculation of similar privileges conceded by the Dominion of Canada, apart from Prince Edward Island, and unless it can be clearly shown that this Province has deliberately surrendered its right in this particular, the only question remaining for determination is the proportion of the award which this Province is entitled to receive.

6. The concession of the privileges granted to the Americans by the Treaty of Washington, so far as they relate to this island, have operated, and will continue to operate, strongly against her fishermen, depriving them of the monopoly which practically they enjoyed from their proximity to the richest fisheries of the Gulf, and thus materially reducing the profits and wealth of a large percentage of the population. The result of this upon the Government of the Province is necessarily injurious. The taxable property within its jurisdiction is depreciated very largely in value. The volume of capital invested in the fisheries, and which, for some years before the coming into force of the Treaty of Washington, had largely increased, offers, and will continue to offer, smaller returns than otherwise it would, and the losses, direct and indirect, fall solely on the Province and its inhabitants. If, on the other hand, the money awarded, and which was intended, in some measure, as compensation to the Provinces territorially possessing the privileges conceded to the Americans, is to be shared by the far off Provinces of British Columbia, Manitoba, and the rich Province of Ontario, which have only a general and indirect interest in the subject, it is submitted that the Maritime Provinces, and Prince Edward Island especially, will suffer a great wrong. Had the territorial rights of this Province in its fisheries, and also

a right to participate in any award made pursuant to the Treaty of Washington, been surrendered in return for some concession or consideration granted by the Dominion Government, then, no matter how grievous it might appear that, as a Province, we were not to share in the money awarded, still no complaint would be justifiable; but, as already has been shown, no such surrender has been made. The ratification of the treaty was enacted by our Legislature before Confederation; the authority to legislate upon our fisheries, vested in the Dominion by the British North America Act, does not imply a right to sell or rent them. The sale or rental of them to the Americans was not, so far as this island is concerned, made by the Dominion; the purchase money, or rental paid by the Americans for the right to use them for twelve years has never been assigned away by the Province. The terms of Union agreed upon between this island and the Dominion, while expressly providing that Canada should assume and defray all charges for the protection of the fisheries, are entirely silent as to the surrender by this Province of its rights under the Treaty of Washington. To imply such a surrender would be a forced and unnatural construction of a compact which is so particular and exact in its definitions of the rights and privileges conceded by the Dominion to the Province and the Province to the Dominion.

7. The Council in committee feel assured that the Dominion Government will, after a careful examination of the facts, acknowledge the right of this Province to be paid a fair proportion of the award. To determine what that proportion justly amounts to is no easy matter; it is naturally incapable of being reduced to an arithmetical certainty, but this much is clear, that if, as between the Dominion and Newfoundland, the sum of one million dollars was deemed the latter's fair portion, no less sum could, with justice, be offered this Province. The Council in committee repeat, without in anyway disparaging the claims of the other Maritime Provinces, that the evidence taken before the commission, and which they have carefully examined, places the fisheries of this Province among the most valuable in the Gulf of St. Lawrence, and of those most eagerly sought for by the Americans. They further submit that no appropriation of our share of the award by the General Government for the construction of public works would be just or satisfactory; that the plan which best recommends itself to the people of this Province, and which, in itself, is most just, would be the funding of the amount by the Dominion Government for the benefit of this island, and the payment thereto, semi-annually, of the interest, for the purpose of its local administration.

8. In conclusion, the Council in committee repeat that Prince Edward Island is legally entitled to be paid a portion of the award made under the Treaty of Washington, and received by the Dominion of Canada, and that the sum of one million and two hundred and fifty thousand dollars is its fair and just proportion.

Certified,

WILLIAM C. DESBRISAY, *Clerk Executive Council.*

DEPARTMENT OF THE SECRETARY OF STATE OF CANADA,

OTTAWA, 5th March, 1879.

SIR,—I am directed to acknowledge the receipt of your despatch, No. 6, of the 9th ultimo, enclosing a copy of a Minute of your Executive Council, setting forth the claim of the Province of Prince Edward Island to a participation in the amount awarded by the Fishery Commission appointed under the provisions of the Treaty of Washington.

I have the honor to be, Sir, your most obedient servant,

EDOUARD J. LANGEVIN, *Under Secretary of State.*

His Honor the Lieutenant-Governor of Prince Edward Island,  
Charlottetown.



## No. 26.

JOINT ADDRESS of the Legislative Council and Assembly to His Excellency the Governor General.—Address to Lieutenant-Governor requesting him to forward the Address to the Governor General.

PROVINCE OF PRINCE EDWARD ISLAND,  
GOVERNMENT HOUSE, 10th June, 1879.

SIR,—I have the honor to transmit herewith a Joint Address from the Legislative Council and Assembly to His Excellency the Governor General, relating to the claims of this Province to a proportionate share of the sum awarded by the commissioners under the Treaty of Washington, as a compensation for privileges accorded to citizens of the United States under Article 18 of that treaty; and also a Joint Address from the Council and Assembly, requesting me to forward the alluded to Address to His Excellency.

I have the honor to be, Sir, your obedient servant,  
R. HODGSON, *Lieutenant-Governor*.

Hon. the Secretary of State, Ottawa.

To His Honor Sir Robert Hodgson, Knight, Lieutenant-Governor of the Province of Prince Edward Island, &c., &c., &c.

MAY IT PLEASE YOUR HONOR,—

The Legislative Council and House of Assembly of Prince Edward Island, in Provincial Parliament convened, having agreed to a Joint Address to His Excellency the Governor General, relating to the claims of this Province to a proportional share of the sum awarded by the commission appointed under the Treaty of Washington, as compensation for privileges accorded to citizens of the United States under Article 18 of that Treaty,

Humbly request that Your Honor will please to cause the said Address to be laid before His Excellency the Governor General.

JOHN BALDERSTON, *President*.  
JOHN A. McDONALD, *Speaker*.

HOUSE OF ASSEMBLY, 7th June, 1879.

To His Excellency the Right Honorable Sir John Douglas Sutherland Campbell, (commonly called the Marquis of Lorne), Knight of the Most Ancient and Most Noble Order of the Thistle, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Governor General of Canada, and Vice-Admiral of the same, &c., &c., &c.

We, Her Majesty's most dutiful and loyal subjects, the Legislative Council and House of Assembly of Prince Edward Island in General Assembly convened, approach Your Excellency in Council and represent:—

1. That by the Treaty of Washington, 1871, it was, among other things, agreed upon by the high contracting parties thereto, that in addition to the liberties secured to the United States fishermen by the Convention of 1818, the citizens of the United States should have, in common with the subjects of Her Britannic Majesty, the liberty, for a term of years specified, to take fish of certain kinds on the sea coasts and shores, and in the bays, harbors and creeks of the Provinces of Quebec, Nova Scotia and New Brunswick, and the colony of Prince Edward Island, without being restricted to any distance from the shore, and with permission to land thereon for the purpose of drying their nets and curing their fish; and it was provided that such foregoing agreement should take effect as soon as the laws required to carry it into operation should have been passed by the Imperial Parliament of Great Britain, by the Parliament of Canada and by the Legislature of Prince Edward Island, on the one hand, and by the Congress of the United States on the other.

2. That in a despatch dated at Downing Street, 17th June, 1871, enclosing to Lieutenant-Governor Robinson copies of the Treaty of Washington and other docu-

ments, Her Majesty's Government strongly urged upon the Government of Prince Edward Island that, for certain reasons stated in the despatch of Earl Kimberley to the Governor General of Canada, the application made by the United States Government should be acceded to by this island, so that American fishermen might be at once allowed, during that season, the provisional use of the privileges granted to them by the Treaty of Washington.

3. That in deference to the wishes of the Imperial Government, the Government of Prince Edward Island promptly sanctioned the admission, on 24th July, 1871, of American fishermen to the liberty which was intended to be secured to them by the Treaty of Washington.

4. That the Treaty of Washington was ratified by the Legislature of Prince Edward Island on the 29th day of June, 1872.

5. That, thereafter, Prince Edward Island was, as a separate Government, and a consenting party to the treaty, entitled to a share of any award which, under the provisions of the Treaty of Washington, the commissioners appointed thereunder might make in favor of the Imperial Government.

6. That Prince Edward Island entered the Confederation of the Dominion of Canada on the 1st day of July, 1873, upon certain terms and conditions set forth in the Order of the Queen in Council, dated 26th June, 1873.

7. That in the said terms of union no mention is made of any surrender to the General Government of the fisheries or any compensation accruing to Prince Edward Island by reason of her ratification of the Treaty of Washington.

8. That the commissioners appointed, under the provisions of the Treaty of Washington, upon the 23rd November, 1877, awarded the sum of \$5,500,000, to be paid by the Government of the United States to the Government of Her Britannic Majesty, as compensation in return for the privileges accorded to the citizens of the United States under article 18 of the Treaty.

9. That the Imperial Government has paid over to the Government of Newfoundland the sum of \$1,000,000 as the share of that colony in the said award.

10. That had the amount of the award been paid over to Great Britain before the admission of this Province into the Confederation, Prince Edward Island would have obtained her share thereof in the same way as Newfoundland, which amount, under the provisions of the 107th section of the British North America Act, would, on the entry of the island into the Union, have been taken in reduction of the debt of the Province at that time.

11. That the evidence taken before the commission at Halifax tended to prove, and it was there admitted by the United States agent, that the mackerel fisheries around the coasts of Prince Edward Island are the most valuable of any conceded to the Americans by the Treaty of Washington; that mackerel constitute sixty-five per cent. of the whole catch taken by United States fishermen in British waters, and that their great value contributed very largely to the making of the award in favor of Great Britain.

12. That Prince Edward Island having no mines nor extensive forests, is wholly dependent upon its fishery and agriculture as sources of wealth, and from its insular position cannot possibly participate in the numerous advantages possessed by the other Provinces in their railways, canals and other large public works.

13. That the only important public work in Prince Edward Island, viz, the railway, was built at the proper cost of the people of the Province, and the expense of its construction was charged against the island in the settlement of the terms of Confederation.

14. That owing to the very large extent to which the Americans, in the exercise of their privileges under the Treaty of Washington, use the fisheries of Prince Edward Island, and the destructive modes of fishing employed by them, it is almost certain that those fisheries, when restored to the island, will be much less valuable than formerly, and that thus the value of property connected therewith will be depreciated, and consequently the revenues of the Provinces reduced; that even now the loss of the monopoly hitherto enjoyed by our fishermen in the valuable fisheries surrounding our shores is productive of the same prejudicial result.



15. That the Government of Prince Edward Island intimated to Earl Kimberley their dissatisfaction with the provisions of the Treaty of Washington, and their regret that the compensation to be awarded had not assumed the form of another Reciprocity Treaty, or some tariff concessions authorizing the free admission of the products of her agriculturists, yet stated their willingness to accept any reasonable money compensation in addition to the privileges granted by the treaty, at the same time expressing their fears that under the treaty nothing of the kind was guaranteed; to which Earl Kimberley replied that he did not understand why the Prince Edward Island Government should object to the reference of the question of the money compensation to arbitration, which seemed to him to be the fairest way of determining such a point.

16. That, failing the adoption of the commercial arrangement so ardently desired, and as it was strongly impressed by Earl Kimberley in his despatch of 17th June, 1871, that "it could not reasonably be expected that Great Britain should, for an indefinite period, incur the constant risk of serious misunderstanding with the United States, in order to endeavor to force the American Government to change its commercial policy." Prince Edward Island, in deference to the wish of the Imperial Government thus expressed, and being most unwilling to throw any obstacle in the way of an amicable settlement of other causes of difference between Great Britain and the United States, reluctantly agreed to accept such money compensation as might be awarded, and subsequently passed the Act giving effect to the treaty.

17. That under the terms of Confederation with the Dominion of Canada Prince Edward Island, having surrendered to the General Government the control of her commercial interests, and the regulation of her tariffs, there exists a still more cogent reason why she should receive the benefit of any money compensation awarded for the use of her fisheries by the citizens of the United States.

18. That the award, five million five hundred thousand dollars, was evidently intended as a compensation to those Provinces territorially possessing the privileges conceded to the Americans, and in no wise in the nature of compensation to the General Government for loss of revenue consequent upon the free admission into Canada of certain United States products, nor for any benefits accruing to the United States citizens by the opening of ports, inasmuch as the commission decided that it was not competent for them to award any compensation for commercial intercourse between the two countries, and excluded from their consideration any advantages resulting from the purchase by the Americans of supplies, and from their being allowed to tranship cargoes in British waters.

19. That the right of Prince Edward Island in the fisheries around her coasts, previous to Confederation, was a colonial right, and that this principle has been acknowledged by the equitable way in which the claims of Newfoundland have been adjusted by the Imperial Government.

20. That the British North America Act, in conferring authority upon the General Government to legislate upon our fisheries, did not contemplate thereby the right to sell or otherwise dispose of them, but merely for the purposes of protection and improvement; and that, in fact, the disposal of the fisheries was made by Prince Edward Island, as a separate Government, in 1871, two years before her connection with the Dominion, and in the settlement of the terms of Confederation no surrender of the consideration to be paid by the Americans was made to the General Government.

21. That the General Government having assumed the protection of the fisheries, would not be justified in applying the amount of the award to assist in carrying out an agreement which they are bound to fulfil under any circumstances, and the cost of which is chargeable to the general revenue fund of Canada.

22. That if, in the case of Newfoundland, where there are no fisheries within the territorial waters of that island of which the Americans make any use, whereas in every other place the cod fishery is followed in the open sea, and no herring, mackerel or other fishery is pursued by Americans within the jurisdictional limits, the sum of one million dollars was considered that island's fair proportion, we submit that, in

the case of Prince Edward Island, where, as has been proved, the most valuable fisheries opened to the Americans exists, and which possesses no internal sources of wealth, as do the other Provinces, and whose people are entirely dependent upon their fishing and agricultural pursuits for their livelihood, the sum of one million two hundred and fifty thousand dollars cannot be considered an unreasonable amount to be set aside for the benefit of this Province.

We therefore humbly pray that Your Excellency in Council will take the premises into your serious consideration, and, after a careful examination of the facts, order the funding, for the benefit of this Province, of the sum of one million two hundred and fifty thousand dollars, which, we humbly submit, Prince Edward Island is legally and equitably entitled to receive from the Imperial Government as her share of the award made by the commissioners under the provisions of the Treaty of Washington, 1871.

And as in duty bound, they will ever pray.

JOHN BALDERSTON, *President of Legislative Council.*

COUNCIL CHAMBER, 7th June, 1879.

JOHN A. McDONALD, *Speaker of House of Assembly.*

HOUSE OF ASSEMBLY, 7th June, 1879.

DEPARTMENT OF THE SECRETARY OF STATE OF CANADA,

OTTAWA, 16th June 1879.

SIR,—I am directed to acknowledge the receipt of your despatch, No. 26, of the 10th inst., transmitting a Joint Address from the Legislative Council and the Legislative Assembly of the Province of Prince Edward Island, relating to the claims of that Province to a proportionable share of the fishery award under the treaty of Washington, together with a Joint Address to yourself from those bodies, requesting you to forward the same.

I have the honor to be, Sir, your obedient servant,

EDOUARD J. LANGEVIN, *Under Secretary of State.*

His Honor the Lieutenant-Governor of Prince Edward Island,

Charlottetown.

*Copy of a Report of a Committee of the Honorable the Privy Council, approved by His Excellency the Governor General in Council 10th December, 1879.*

The Committee of Council have had under consideration the application of the Government of Prince Edward Island to be paid "her share of the award made by the commissioners under the provisions of the Treaty of Washington."

They have also had before them report dated 6th December, 1879, hereto annexed, from the sub-committee of the Privy Council, to whom said application was referred, and they concur in the opinion with the sub-committee that the Province is not entitled to make any claim upon the money awarded to be paid for the use of the fisheries by the United States which the other Provinces of the Dominion would not be equally entitled to put forward.

Certified.

J. O. COTÉ, *Assistant Clerk Privy Council.*

The undersigned, to whom was referred the application of the Government of Prince Edward Island to be paid "her share of the award made by the commissioners under the provisions of the Treaty of Washington," have the honor to report:—

That by article 23 of the Treaty of Washington the fishery clauses of the treaty were to take effect as soon as the laws required to carry the treaty into operation should be passed by the Imperial Parliament of Great Britain, the Parliament of Canada, the Legislature of Prince Edward Island and the Congress of the United States of America.

The necessary laws were passed by Great Britain on the 6th day of August, A.D. 1872, by the Parliament of Canada on the 14th day of June, A.D. 1872, by the Legislature of Prince Edward Island on the 29th day of June, A.D. 1872, and by the Con-



gress of the United States on the 1st day of March, 1873. The Act of Congress, however, was not to take effect till the 1st day of July, 1873.

The Treaty of Washington, therefore, so far as it relates to the fisheries, took effect on the 1st day of July, A.D. 1873, and not before, and the compensation awarded by the Halifax commission is for a period of twelve years from that day.

The Province of Prince Edward Island entered the Dominion on the 1st July A.D. 1873, the day on which the fishery clauses of the Treaty of Washington took effect, and, in the opinion of the undersigned, that Province is not entitled to make any claim upon the money awarded to be paid for the use of the fisheries by the United States which the other Provinces of the Dominion would not be equally entitled to put forward.

JAS. McDONALD,  
S. L. TILLEY,  
A. CAMPBELL.

PRIVY COUNCIL, 6th December, 1879.

DEPARTMENT OF THE SECRETARY OF STATE OF CANADA,  
OTTAWA, 11th December, 1879.

SIR,—I have the honor to inform you that His Excellency the Governor General has had under consideration in Council the application of the Government of the Province of Prince Edward Island to be paid "her share of the award made by the commissioners under the provisions of the Treaty of Washington," and that His Excellency in Council is of opinion that that Province is not entitled to make any claim upon the money awarded to be paid for the use of the fisheries by the United States which the other Provinces of the Dominion would not be equally entitled to put forward.

I have the honor to be, Sir, your obedient servant,

EDOUARD J. LANGEVIN, *Under Secretary of State.*

His Honor the Lieutenant-Governor of Prince Edward Island,  
Charlottetown,

No. 13,

PROVINCE OF PRINCE EDWARD ISLAND,  
GOVERNMENT HOUSE, 20th December, 1879.

SIR,—I have the honor to acknowledge the receipt of your despatch, No. 2961 on 1024, of the 11th December, informing me that His Excellency the Governor General has had under consideration in Council the application of the Government of the Province of Prince Edward Island to be paid her share of the award made by the commissioners under the provisions of the Treaty of Washington, and that His Excellency in Council is of opinion that this Province is not entitled to make any claim upon the money awarded to be paid for the use of the fisheries by the United States which the other Provinces of the Dominion would not be equally entitled to put forward.

I have the honor to be, Sir, your obedient servant,

T. HEATH HAVILAND, *Lieutenant-Governor.*

Hon. the Secretary of State, Ottawa.

*To His Excellency the Right Honorable the Marquis of Lorne, K.T., K.C.M.G., Governor General of the Dominion of Canada, &c., &c., &c.*

The memorial of the undersigned, acting on behalf of certain merchants of Prince Edward Island, now one of the Provinces of the Dominion of Canada, who exported fish and fish oil, the produce of the waters of that island, to the United States of America, in the year 1871-72,

HUMBLY SHEWETH,—

1. That the Treaty of Washington was signed on the 8th May, 1871.

(*Vide Appendix No. 1.*)

2. That on the same day the Hon. Hamilton Fish, Secretary of State for the United States, addressed to Sir Edward Thornton, the British Minister at Washington, a despatch, in which, by direction of the President, he proposed "That as the treaty could not come into full operation until the legislation contemplated therein should have taken place, and as it seemed to him to be in accordance with the interests of the Governments of Great Britain and the United States, and in furtherance of the objects and spirit of the treaty," that the citizens of the United States should have the enjoyment of the liberty to fish within the territorial waters of Her Britannic Majesty, on the coasts of Canada, Prince Edward Island and Newfoundland during the season of 1871-72.

(*Vide Appendix No. 2—Vide Appendix No. 3.*)

3. That in a despatch, No. 22, dated 17th June, 1871, addressed by Lord Kimberley to the Lieutenant-Governor of Prince Edward Island, the Government of Great Britain strongly urged upon the Government of Prince Edward Island that, for reasons stated in a despatch, No. 441, addressed by the Earl of Kimberley to Lord Lisgar, and dated 17th June, 1871, the application so made by Mr. Secretary Fish should be acceded to by Prince Edward Island.

(*Vide Appendix No. 4.*)

4. That in deference to this strongly-expressed wish of Her Majesty's Government, the Government of Prince Edward Island, on the 17th June, 1871, recommended that the application made by the United States Government should be acceded to, so that American fishermen might be allowed, during the year 1871, the provisional use of the privileges granted to them by the treaty, and which privileges they largely enjoyed during the season referred to.

(*Vide Appendix No. 4.*)

5. That the Customs officers of Prince Edward Island were, on the 24th July, 1871, instructed to discontinue, for the season of 1871, until further orders, the enforcement of the fishery laws affecting foreigners.

6. That from the date of this order American fishermen had free use of the in-shore fisheries of Prince Edward Island, and landed fish and fish oil without being charged any duty thereon, and enjoyed all the advantages of the treaty.

That the Treaty of Washington was ratified by Great Britain on the 6th August, 1872; by Canada on the 14th June, 1872; by Prince Edward Island on the 29th June, 1872; by the United States on the 25th February, 1873, and came into operation on the 7th June, 1873.

That the merchants of Prince Edward Island relied implicitly on the good faith of the United States Government that the President would recommend to and urge upon Congress the propriety of making provision for the refunding of the duties paid upon fish imported into the United States from Prince Edward Island.

That the President of the United States subsequently declined to recommend to Congress the refund of these duties, alleging that the proposal made through Mr. Fish, contemplated the united action of all the British colonies, and that it would not be practicable to separate them, or carry into effect for one what the President was willing to recommend for all those colonies.

That those merchants of Prince Edward Island who, during the years 1871-72, exported to the United States fish and fish oil, paid the duties thereon under protests, copies of which were served on the collectors at the ports of entry in the United States, and on the Secretary of State at Washington, and sold the same under the belief that the duties would be refunded, and that by reason of the United States Government refusing to refund such duties they sustained loss.

That copies of the correspondence between Mr. Fish and Sir Edward Thornton; between Her Majesty's Secretary of State for the Colonies and the Governor General of Canada and the Lieutenant-Governor of Prince Edward Island; and between the



Secretary of State for the Colonies and the Lieutenant-Governor of Prince Edward Island, relating to the subject dealt with in this memorial, together with a statement of the names of the merchants who paid duties, and the amounts claimed by each, are hereto annexed.

That these documents were duly filed with the secretary of the Fisheries Commission, at Halifax, in support of the case of Her Majesty's Government.

That it may be inferred that, in estimating generally the remission of duties as a set-off, the commissioners considered the facts of this claim in connection with their final award.

That from the 24th July, 1871, until the 1st July, 1873, Prince Edward Island was an independent colony.

Your memorialist therefore humbly prays that the respective sums named in the schedule attached may be refunded to these claimants, out of the Halifax award, paid by the United States to Great Britain, and now in the Canadian treasury.

And, as in duty bound, your memorialist will ever pray.

W. H. POPE.

OTTAWA, 18th January, 1879.

*Claims for Return Duties from the American Government.*

Hall & Myrick, for themselves.....	\$20,818 69
do for British subjects.....	9,883 00
G. W. Howlan.....	9,106 60
H. M. Churchill.....	4,889 50
Carvell Brothers.....	1,228 50
Baker & Nickersen.....	987 20
A. A. McDonald Brothers.....	2,234 00
MacDonald & Owen.....	492 00
Samuel Prowse.....	386 00
J. A. Matheson.....	262 00
A. Matheson.....	24 00
J. A. Macdonald.....	146 00
Wise & Russell.....	166 00
Jno. Cairns.....	165 00
Owen Conolly.....	146 00
Reid Brothers.....	30 00
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	\$50,904 79

No. 1.

*Mr. Fish to Sir E. Thornton.*

DEPARTMENT OF STATE, WASHINGTON, 8th May, 1871.

SIR,—As several articles of the treaty which has been signed this day, relating to the admission of citizens of the United States to fish within the territorial waters of Her Britannic Majesty, on the coasts of Canada, Prince Edward Island and Newfoundland, cannot come into full operation until the legislation contemplated in that instrument shall have taken place, and as it seems to be in accordance with the interests of both Governments, in furtherance of the objects and spirit of the treaty, that the citizens of the United States should have the enjoyment of that liberty during the present season, I am directed by the President to express to you his hope that Her Majesty's Government will be prepared, in the event of the ratification of the treaty, to make, on their own behalf, and to urge the Governments of the Dominion of Canada, of Prince Edward Island and of Newfoundland, to make, for the season referred to, within their respective jurisdictions, such relaxations and regulations as may respectively be in their power to adopt, with a view to the admission of American fishermen to the liberty which it is proposed to secure to them by the treaty. The Government of the United States would be prepared, at the same time,

admit British subjects to the right of fishing in the waters of the United States specified in the treaty; but as the admission into the United States, free of duty, of articles which are, by law, subject to duty, cannot be allowed without the sanction of Congress, the President will, in case the above suggestion meets with the views of the British Government, recommend and urge upon Congress, at their next session, at any duties which may have been collected on and after the 1st day of July next on fish oil and fish (except fish of the inland lakes and of the rivers falling into the same, and except fish preserved in oil), the produce of the fisheries of the Dominion of Canada and of Prince Edward Island, shall be returned and refunded to the parties paying the same, if a similar arrangement is made with respect to the admission into the British possessions of fish oil and fish (with the like exception), on the produce of the fisheries of the United States.

I have, &c.,

HAMILTON FISH.

E. THORNTON, K. C. B., &c., &c., &c.

*Sir E. Thornton to Mr. Fish.*

WASHINGTON, 9th May, 1871.

SIR,—I have the honor to acknowledge the receipt of your note of yesterday's date, and to inform you, in reply, that I have been authorized by Earl Granville to state that in the event of the ratification of the treaty, signed yesterday, Her Majesty's Government will be prepared to recommend to the Governments of the Dominion of Canada, of Prince Edward Island and of Newfoundland, that the provisional arrangement proposed in your note above mentioned, with regard to the right of fishing by United States citizens on the coasts of those British possessions, and by British subjects in the waters of the United States, described in Article X of the treaty, shall take effect during the coming season, on the understanding that the ultimate decision of this question must rest with the above-mentioned Colonial Governments, who would be asked to grant the immediate and certain right of fishing within the territorial waters of those colonies, whilst the return of the impost duties on fish, from the 1st of July next, promised by the United States, is prospective and contingent on the action of Congress.

I have, &c.,

EDWARD THORNTON.

HAMILTON FISH, &c., &c., &c.

# TREATY OF WASHINGTON, &c., &c.,

No. 22.

D. 2.]

PRINCE EDWARD ISLAND.

DOWNING STREET, 17th June, 1871.

SIR,—I have the honor to enclose herewith copies of the treaty signed at Washington, on 8th May, by the Joint High Commissioners, which has been ratified by Her Majesty, and by the President of the United States, of the instructions to Her Majesty's High Commissioners, and protocols of conferences held by the commission, two notes which have passed between Sir E. Thornton and Mr. Fish, and of a patch of even date herewith, which I have addressed to the Governor General of Canada, stating the views of Her Majesty's Government on these important elements.

With reference to that part of my despatch to Lord Lisgar which bears upon the proposed arrangement for the immediate provisional admission of the United States fishermen to the colonial fisheries,

Her Majesty's Government strongly urge upon the Government of Prince Edward Island that for the reasons stated in the despatch the same course should



be pursued as in 1854, and the application made by the United States Government should be acceded to by Prince Edward Island, so that American fishermen may be at once allowed, during the present season, the provisional use of the privileges granted to them by the treaty.

I have, &c.,

KIMBERLEY.

Lieutenant-Governor ROBINSON, &c., &c., &c.

*The Earl of Kimberley to Lord Lisgar.*

No. 444.

[No. 3.]

CANADA.

DOWNING STREET, 17th June, 1871.

MY LORD,—I have the honor to enclose herewith copies of the treaty signed at Washington, on 8th May, by the Joint High Commissioners, which has been ratified by Her Majesty, and by the President of the United States, and of the instructions to Her Majesty's High Commissioners, and protocols of the conferences held by the commission. The Dominion is, from its geographical position, as the immediate neighbor of the United States, so peculiarly interested in the maintenance of cordial relations between that Republic and the British Empire, that it must be a source of satisfaction to the Canadian Government that Her Majesty has been able to conclude a treaty for the amicable settlement of differences which might have seriously endangered the good understanding between the two countries.

Moreover, the rules laid down in Article 6, as to the international duties of neutral Governments, are of special importance to the Dominion, which carries on such an extensive and increasing maritime commerce and possesses such a considerable merchant navy.

But independently of the advantages which Canada must derive from the removal of the causes of difference with the United States, arising out of occurrences during the Civil War, Her Majesty's Government believe that the settlement which has been arrived at of the questions directly affecting British North America cannot fail to be beneficial to the Dominion. I need not refer to the well-known history of the fishery question, further than to observe that ever since the termination by the British Government, in consequence of the war of 1812, of the liberty enjoyed under the treaty of 1783 by American citizens, of fishing in the territorial waters of the British colonies, and the renunciation by the United States, in the treaty of 1818, of all claim to that liberty, this question has, in different forms, been the subject of controversy with the United States. Her Majesty's Government have always contended for the rights of the colonies, and they have employed the British naval forces in the protection of the colonial fisheries, but they could not overlook the angry feelings to which this controversy has given rise, and the constant risk that in the enforcement of the exclusion of American fishermen from the colonial waters a collision might take place which might lead to the most serious consequences, and they would have been wanting in their duty if they had not availed themselves of the opportunity presented by the late negotiation to remove a source of perpetual irritation and danger to the relations of this country and the Dominion with the United States.

The Canadian Government itself took the initiative in suggesting that a joint British and American commission should be appointed, with a view to settle the disputes which had arisen as to the interpretation of the treaty of 1818; but it was certain that, however desirable it might be, in default of any complete settlement, to appoint such a commission, the causes of the difficulty lay deeper than any question of interpretation, and the mere discussion of such points as the correct definition of bays could not lead to a really friendly agreement with the United States. It was necessary, therefore, to endeavor to find an equivalent which the United States might be willing to give in return for the fishery privileges, and which Great Britain, having regard both for Imperial and colonial interests, could properly accept. He

Majesty's Government are well aware that the arrangement which would have been most agreeable to Canada was the conclusion of a treaty similar to the Reciprocity Treaty of 1854, and a proposal to this effect was pressed upon the United States commissioners, as you will find in the 36th protocol of the conference. This proposal was, however, declined, the United States commissioners stating "that they could hold out no hope that the Congress of the United States would give its consent to such a tariff arrangement as was proposed, or to an extended plan of reciprocal free admission of the products of the two countries." The United States commissioners did indeed propose that coal, salt, and fish should be reciprocally admitted free, and lumber, after the 1st of July, 1874; but it is evident that, looked at as a tariff arrangement, this was a most inadequate offer, as will be seen at once when it is compared with the long list of articles admitted free under the Reciprocity Treaty. Moreover, it is obvious, from the frank avowal of the United States commissioners, that they only made this offer because one branch of Congress had recently more than once expressed itself in favor of the abolition of duties on coal and salt, and because Congress had partially removed the duty from lumber, and the tendency of legislation in the United States was towards the reduction of taxation and of duties, so that to have ceded the fishery rights in return for these concessions would have been to exchange them for commercial arrangements, which, there is reason to believe, may, before long, be made without any such cession, to the mutual advantage of both the Dominion and the United States; and Her Majesty's Government are bound to add that, whilst in deference to the strong wishes of the Dominion Government, they used their best efforts to obtain a renewal in principle of the Reciprocity Treaty, they are convinced that the establishment of free trade between the Dominion and the United States is not likely to be promoted by making admission to the fisheries dependent upon the conclusion of such a treaty; and that the repeal by Congress of duties upon Canadian produce, on the ground that a protection tariff is injurious to the country which imposes it, would place the commercial relations of the two countries on a far more secure and lasting basis than the stipulations of a convention framed upon a system of reciprocity. Looking, therefore, to all the circumstances, Her Majesty's Government found it their duty to deal separately with the fisheries, and to endeavor to find some other equivalent; and the reciprocal concession of free fishery, with free import of fish and fish oil, together with the payment of such a sum of money as may fairly represent the excess of value of the colonial over the American concession, seems to them to be an equitable solution of the difficulty. It is perfectly true that the right of fishing on the United States coasts, conceded under Article 19, is far less valuable than the right of fishery in colonial waters, conceded under Article 18, to the United States; but, on the other hand, it cannot be denied that it is most important to the colonial fishermen to obtain free access to the American market for their fish, and for fish oil; and the balance of advantage on the side of the United States will be duly redressed by the arbitrators under Article 22. In some respects a direct money payment is, perhaps, a more distinct recognition of the rights of the colonies than a tariff concession, and there does not seem to be any difference in principle between the admission of American fishermen for a term of years, in consideration of the payment of a sum of money in gross, and their admission under the system of licenses calculated at so many dollars per ton, which was adopted by the Colonial Government for several years after the termination of the Reciprocity Treaty. In the latter case, it must be observed, the use of the fisheries was granted without any tariff concession whatever on the part of the United States, even as to the importation of fish.

Canada could not reasonably expect that this country should, for an indefinite period, incur the constant risk of serious misunderstanding with the United States, imperilling, perhaps, the peace of the whole Empire, in order to endeavor to force the American Government to change its commercial policy; and Her Majesty's Government are confident that, when the treaty is considered as a whole, the Canadian people will see that their interests have been carefully borne in mind, and that the advantages which they will derive from its provisions are commensurate with the



concessions which they are called upon to make. There cannot be a question as to the great importance to Canada of the right to convey goods in bond through the United States, which has been secured to her by Article 29, and the free navigation of Lake Michigan, under Article 28, and the power of transshipping goods, under Article 30, are valuable privileges, which must not be overlooked in forming an estimate of the advantages which Canada will obtain. Her Majesty's Government have no doubt that the Canadian Government will readily secure to the citizens of the United States, in accordance with Article 27, the use of the Canadian canals, as by the liberal policy of the Dominion those canals are already opened to them on equal terms with British subjects, and they would urge upon the Dominion Parliament and the Legislature of New Brunswick that it will be most advisable to make the arrangement as to duties on lumber floated down the St. John River, upon which the execution of Article 30, as to the transshipment of goods, is made contingent.

The freedom to navigate the St. Lawrence, which is assured to the United States by Article 26, has long existed in fact, and its recognition by Treaty cannot be prejudicial to the Dominion, which, moreover, obtains in return, the free use of certain rivers on the Pacific side of the continent.

I must not omit to notice that by Article 34 the dispute as to the Island of St. Juan is to be submitted to arbitration, and provision has thus happily been made so, the amicable termination of a long standing and difficult controversy, at a time when, in consequence of the union of British Columbia with the Dominion, this boundary question has become a matter of interest to the whole confederation of British Provinces.

I have thus gone through those parts of the treaty which immediately touch the Dominion; but a question of much moment remains, as to the course which should be taken during the present fishing season, pending the enactment by the respective Legislatures of the laws necessary to bring the fishery articles into operation.

I find that on the conclusion of the Reciprocity Treaty, in June, 1854, and previous to its ratification, the then American Secretary of State, Mr. Marcy, expressed the hope of his Government that American fishermen would not be molested if they should at once attempt to use the privileges granted by that treaty. A despatch was therefore addressed to the Governors of the North American colonies, recommending that the wish of the United States Government should be acceded to, and that the American fishermen should be immediately admitted to the colonial fisheries. The result was, that the various Colonial Governments at once admitted the American fishermen to the fisheries, although the legislative Acts necessary to give effect to the treaty were not passed till late in the autumn. It is evidently most desirable that a similar course should be pursued on the present occasion, and you will perceive, from the notes which have passed between Sir E. Thornton and Mr. Fish, copies of which I enclose, that the United States Government have made an application similar to that which they made in 1854, and that Her Majesty's Government have engaged to recommend to the Colonial Governments that it should be acceded to. Her Majesty's Government are, of course, aware that the Colonial Governments have no power to set aside the fishery statutes by their own authority, but it is entirely within their power to take no active steps to enforce those statutes and to suspend the instructions to the colonial cruisers to exclude American citizens from the fisheries, just as it is in the power of Her Majesty's Government to suspend the action of Her Majesty's cruisers, although the Imperial fishery statute is still in force.

Her Majesty's Government have no desire whatever to attempt to interfere with the entire right of the Colonial Legislatures to refuse to pass the Acts necessary to give effect to the treaty, though they would deeply deplore that a course, which they believed would be most impolitic, should be taken; but, on the other hand, they have too much confidence in the wisdom of those free Assemblies to anticipate any such result, and they are confident that the Canadian Government would be as desirous as Her Majesty's Government that no untoward collision should occur during the present season which might prejudice the fair consideration of the treaty, both by

the American Congress and the Colonial Parliaments, and that on a full consideration of the circumstances they will see that the responsibility of incurring the risk of such a collision would be far heavier than that of removing, so far as they have the power, the obstacles to the provisional enjoyment by American citizens of the privileges which it is intended by the treaty to secure to them for a longer time.

I cannot conclude this despatch without expressing the gratification which it has given Her Majesty's Government to have had the valuable assistance of Sir John A. Macdonald in the negotiation of this treaty. Whatever view may be taken in Canada of the merits of the treaty, it must be an unqualified cause of satisfaction to the Canadians to know that they were represented by a statesman holding so distinguished a position in the Canadian Government, and so well able, from his knowledge and experience, to put forward with the greatest force and authority the arguments best suited to promote the claims and interests of the Dominion.

I have, &c.,

KIMBERLEY.

Governor General, the Right Hon. LORD LISGAR, G.C.B., &c., &c., &c.

No. 4. COUNCIL CHAMBER, 24th July, 1871.

At a meeting of Council,—

*Present :*

The Lieutenant-Governor,

Mr. Pope,  
Colonial Secretary,  
Attorney General,  
McDonald,

Mr. Owen,  
Howlan,  
McEachen,  
Richards.

The Minute of the Committee of Council, at its meeting on the 17th inst., was laid before the Board and approved, and it was thereupon—

Ordered, That such relaxations and regulations as it is in the power of the Government of Prince Edward Island to adopt be agreed to, with a view to the admission of American fishermen, for the present season, to the liberty which it is proposed to secure to them by the Treaty of Washington, 1871; and further—

Ordered, That the consul of the United States of America, at this port, and the several Custom house officers, be notified of the foregoing order.

Certified.

WM. C. DESBRISAY, *Asst. Clerk Executive Council.*

No. 27.

PRINCE EDWARD ISLAND.

DOWNING STREET, 8th August, 1871.

SIR,—I have received your despatch, No. 55, of the 12th ult., acknowledging mine of the 17th of June, in which I forwarded to you a copy of the Treaty of Washington.

I have learnt with much satisfaction that your Government are likely to accede so promptly and readily to the wishes of Her Majesty's Government, that the United States fishermen should be admitted, provisionally, to the inshore fisheries of Prince Edward Island during the present season.

I have, &c.,

KIMBERLEY.

Lieutenant-Governor ROBINSON, &c., &c., &c.

No. 32.

PRINCE EDWARD ISLAND.

DOWNING STREET, 3rd September, 1871.

SIR,—I have the honor to acknowledge the receipt of your despatch, No. 59, of the 25th of July, communicating to me the consent of your Government to the provisional admission of United States fishermen, during the present season, to the



privileges granted by the Treaty of Washington, so far as concerns the colony under your Government.

Her Majesty's Government have learnt with much satisfaction that the Prince Edward Island Government have so willingly acceded to their wishes in this respect.

With regard to the observations contained in the Minutes of Council which you have forwarded, to the effect that the Prince Edward Island Government would readily accept any reasonable money compensation in addition to the privileges granted as an equivalent, but that, under the treaty, nothing of the kind is guaranteed, I do not understand why the Prince Edward Island Government should object to the reference of the question of the money compensation to arbitration, which seems to be the fairest way of determining such a point, more especially as the fact stated in the Minute, that the rights of fishing conceded by the United States are comparatively worthless; is, it must be presumed, capable of distinct proof.

I will communicate with Lord Granville as to the wish of your Government, in the event of the Act necessary to give effect to the treaty being passed, to appoint a representative to give information to the commission which is to meet at Halifax.

I have, &c.,

KIMBERLEY.

Lieutenant-Governor ROBINSON, &c., &c., &c.

No. 34.

PRINCE EDWARD ISLAND.

DOWNING STREET, 5th September, 1871.

SIR,—With reference to my despatch, No. 32, of the 3rd instant, in answer to yours of the 25th of July, relating to the Treaty of Washington and to the fisheries, I have the honor to transmit to you, for your information and guidance, a copy of a letter from the Foreign Office on the subject of your despatch, and relating also to questions raised in a despatch received from the Governor of Newfoundland.

I have, &c.,

KIMBERLEY.

Lieutenant-Governor ROBINSON, &c., &c., &c.

*Mr. Russell to the Under Secretary of State, Colonial Office.*

FOREIGN OFFICE, 31st August, 1871.

SIR,—I have laid before Earl Granville your letter of the 21st instant, enclosing copies of correspondence with the Governor of Newfoundland and the Lieutenant-Governor of Prince Edward Island, respecting the provisional admission of American fishermen to the inshore fisheries of those islands, and I am, in reply, to request that you will state to the Earl of Kimberley that Earl Granville has no doubt that the Government of Newfoundland is right in assuming that the omission of the mention of Newfoundland in the passage in Mr. Fish's note to Sir E. Thornton, referred to, was unintentional.

Her Majesty's Chargé d'Affaires at Washington, will, however, be instructed to call Mr. Fish's attention to the omission as being understood to be by inadvertence. His Lordship wishes the Government of Newfoundland to be informed that the intention of the two notes was, that pending reciprocal legislation in return for the immediate provisional admission of American fishermen to the inshore fisheries, drawbacks should be granted on the import duties taken in the United States on the fish oil and fish which are to be hereafter admitted free for a term of years, under the 21st article of the treaty.

I am to add that, as regards the desire expressed by the Government of Prince Edward Island, that some person should be appointed to attend the commission at Halifax, it appears to Lord Granville that it would not only be permissible, but highly desirable, that Prince Edward Island and the other Provinces should furnish the fullest information before the commission as to the value of the inshore fisheries on their coasts. The 24th article of the treaty provides that the commissioners

shall be bound to receive such oral or written testimony as either Government may present, and it will consequently be competent for the Government of Prince Edward Island to send to Halifax any person who may be selected as best capable of giving evidence on its behalf.

I am, &c.,

ODO RUSSELL.

The Under-Secretary of State, Colonial Office.

No. 72.

PRINCE EDWARD ISLAND.

GOVERNMENT HOUSE, 30th September, 1871.

MY LORD,—I have the honor to submit a copy of a letter addressed to me by Mr. R. C. Hall, an American merchant largely engaged in the exportation of fish from Prince Edward Island to the United States, together with a copy of my reply.

2. Mr. Hall is apprehensive that the refusal of Canada to assent to the provisional arrangement proposed by the United States, and assented to by this colony, as reported in my despatch, No. 59, of the 25th of July, may work adversely to the interests of those persons in Prince Edward Island who have this year made large investments in the fishing business, in the expectation of receiving back the duties collected in the United States on fish oil and fish exported from this island into that country during the present fishing season.

3. I do not in the least apprehend that the action of Canada in withholding her assent from an arrangement in respect of which it was necessary that each colony concerned should decide for itself, will in any way prejudice the interest of Prince Edward Island, or that the Government of the United States will be thereby deterred from recommending and urging upon Congress to refund the duties collected during the stipulated period on fish oil and fish from this colony; and I felt justified in informing Mr. Hall that I considered his apprehensions unfounded.

4. An assurance to this effect from Your Lordship, if one could be procured in time from the United States Government, and Your Lordship should think proper to ask for it, would be most satisfactory and reassuring to that section of the mercantile community to which Mr. Hall belongs, and serve to counteract the depressing influence which the apprehensions now entertained may otherwise have on the late autumn trade of the colony.

5. For previous correspondence on the subject of the provisional arrangement mentioned in this communication, I beg leave to refer Your Lordship to the despatches of the numbers and dates noted in the margin.\*

I have, &c.,

WILLIAM ROBINSON, *Lieutenant-Governor.*

The Right Honorable the Earl of Kimberley, &c., &c., &c.

CHARLOTTETOWN, P. E. I., 26th September, 1871.

SIR,—After the action of your Government, giving effect to the Treaty of Washington, so far as the fisheries are concerned, admitting fish from the United States as bait or otherwise, free of duty, into this colony, and giving to the United States fishing vessels free access to the shore fisheries around this island—those persons here who are engaged in the fishing business had supposed that on the meeting of Congress, the right to receive back the duties paid on all fish and fish oils exported by them to the United States since the first day of July—could not be questioned.

Recent reports from the United States would, however, lead to the belief that the refusal of the Dominion of Canada to give effect to the Treaty of Washington may work adversely to the interests of this island and prejudice her claim to such return of duties.

\* Secretary of State to Lieutenant Governor, No. 22, of 17th, 25th, 1871. Lieutenant-Governor to Secretary of State, No. 59, of June, July, 1871.



As Your Honor is probably aware, large investments have this year been made in the fishing business, based upon the expectation of receiving the benefit of this treaty, and a heavy loss to this island must result if the duties are not returned.

I would therefore esteem it as a great favor if Your Honor can give me any information bearing upon this subject.

I have, &c.,

ISAAC C. HALL.

His Honor WILLIAM C. F. ROBINSON, Lieutenant-Governor, &c., &c., &c.

No. 102.

GOVERNMENT HOUSE, 29th September, 1871.

SIR,—I am directed by the Lieutenant-Governor to acknowledge the receipt of your letter of the 26th instant, on the subject of the Treaty of Washington.

2. The Government of the United States requested Her Majesty's Government to urge the Governments of Canada, Newfoundland and Prince Edward Island to make, for the present season, within their respective jurisdictions, such relaxations and regulations as it might be in their power to adopt, with a view to the provisional admission of American fishermen to the liberty which is proposed to be secured to them by the Treaty of Washington, the Government of the United States undertaking in return to recommend and urge upon Congress, at their next Session, to refund to the parties paying the same, any duties collected in the United States on and after the 1st July, on fish oil and fish (with certain exceptions) the produce of the fisheries of the above colonies respectively, if a similar arrangement should be made with respect to the admission into the colonies, as aforesaid, of fish oil and fish (with like exceptions) being the produce of the fisheries of the United States.

3. Prince Edward Island assented to the proposed arrangement; Canada did not assent to it; and you are apprehensive that such refusal on the part of Canada may work adversely to the interest of those persons in Prince Edward Island who have this year made large investments in the fishing business, in the expectation of receiving back the duties paid by them on fish and fish oil exported from this island into the United States during the present fishing season.

4. The Lieutenant-Governor is of opinion that your apprehensions are unfounded. An arrangement, sanctioned by Her Majesty's Government, has been entered into between the Governments of the United States and Prince Edward Island; and the Lieutenant-Governor does not apprehend that the action of Canada in withholding her assent from a similar arrangement will be attended with the prejudicial result which you have recently been led to anticipate.

I have, &c.,

KILDARE C. ROBINSON, *Private Secretary*.

ISSAC C. HALL, Esq.

No. 48.

PRINCE EDWARD ISLAND.

DOWNING STREET, 30th December, 1871.

SIR,—I have been in communication with the Secretary of State for Foreign Affairs on the subject of your despatch, No. 72, of the 30th of September, in which you enclosed copies of a correspondence between yourself and I. C. Hall, respecting the question of the refund of the duties collected in the United States on fish oil and fish exported from Prince Edward Island during the fishery season.

Enquiry has been made of the United States Government on the subject of the introduction of a Bill into Congress to provide for the refunding of duties paid upon fish and fish oil, the produce of the fisheries of Prince Edward Island and Newfoundland, but Her Majesty's Government regret to say that the United States Government have replied that the proposal made in May last contemplated the united action of all the British North American colonies, and that it would not be practi-

able to separate them or carry into effect for one what the President was willing to recommend for all those colonies.

I have, &c.,

KIMBERLEY.

Lieutenant-Governor ROBINSON, &c., &c., &c.

No. 5.

PRINCE EDWARD ISLAND.

GOVERNMENT HOUSE, 8th February, 1872.

MY LORD,—Having communicated to my advisers Your Lordship's despatch, No. 48, of the 30th December, respecting the question of the refund of the duties collected in the United States on fish oil and fish exported from Prince Edward Island during the fishing season of 1871, I have the honor to forward, at their request, a Minute of Council, containing observations which they are desirous of submitting to Your Lordship upon this important subject.

2. I beg leave, on behalf of this colony, to express an earnest hope that Your Lordship may be enabled to comply with the request preferred by my advisers, and to urge upon the United States Government the necessity of paying a claim the justice of which cannot be disputed."

I have, &c.,

WILLIAM ROBINSON, *Lieutenant-Governor*.

Right Hon. the Earl of KIMBERLEY, &c., &c., &c.

At a meeting of a committee of the Executive Council of Prince Edward Island, in the Council Chamber, on the second day of February, 1872—

*Present :*

The Hon. Mr. POPE,

Mr. COLONIAL-SECRETARY,

Mr. ATTORNEY-GENERAL,

The Hon. Mr. McDONALD,

Mr. RICHARDS,

Mr. LEFURGY.

The following Minute, addressed to the Right Hon. Earl Kimberley, Her Majesty's Principal Secretary of State for the Colonies, on the subject of His Lordship's despatch, No. 48, of date the 30th December, 1871, to Lieutenant-Governor Robinson, was adopted by the committee, and ordered to be handed to the Lieutenant-Governor for transmission to the Right Hon. Earl Kimberley, Her Majesty's Principal Secretary of State for the Colonies, &c., &c.:—

The Committee of the Executive Council of Prince Edward Island have had under consideration Your Lordship's despatch, No. 48, dated the 30th December, 1871, addressed to Lieutenant-Governor Robinson, on the subject of the "refund of duties collected in the United States on fish oil and fish exported from Prince Edward Island during the season of 1871;" also despatch No. 59, dated 25th July, from Lieutenant-Governor Robinson to your Lordship, on the same subject; also copy of a despatch, dated at Washington, 12th May, 1871, addressed to Earl Granville, by Sir Edward Thornton, British Minister at Washington, and enclosing a letter which he had received from Hamilton Fish, Esq., of the Department of State, Washington, dated 3th May, 1871, with Sir E. Thornton's reply thereto, on the subject of a proposed provisional arrangement he wished to make with the respective colonies named therein, until legislative action could be had.

In Mr. Fish's letter of the 8th May last he proposed to Sir Edward Thornton, in the following words, viz.:—That as the treaty could "not come into full operation until the legislation contemplated in that instrument shall have taken place, and as it seems to be in accordance with the interests of both Governments, in furtherance of the objects and spirit of the treaty, that the citizens of the United States should have the enjoyment of that liberty during the present season; I am directed by the President to express to you his hope that Her Majesty's Government will be prepared, in the event of the ratification of the treaty, to make, on their own behalf, and to urge the Governments of the Dominion of Canada, of Prince Edward Island and of New-



foundland, to make, for the season referred to, within their respective jurisdictions such relaxations and regulations as it may respectively be in their power to adopt with a view to the admission of American fishermen to the liberty which it is proposed to secure to them by the treaty. The Government of the United States would be prepared, at the same time, to admit British subjects to the right of fishing in the waters of the United States, specified in the treaty; but as the admission into the United States, free of duty, of any articles which are by law subject to duty, cannot be allowed without the sanction of Congress, the President will, in case the above suggestions meets with the views of the British Government, recommend and urge upon Congress, at their next session, that any duties which may have been collected on and after the first day of July next, on fish oil and fish, the produce of the fisheries of the Dominion of Canada and of Prince Edward Island, shall be returned and refunded to the parties paying the same, if a similar arrangement is made with respect to the admission into the British possessions of fish oil and fish (with certain exceptions, as in the treaty), being the produce of the fisheries of the United States."

This proposal was agreed to by the Government of Prince Edward Island, at the urgent request of Her Majesty's Imperial Government, and, on the 24th July last, an order was issued in accordance therewith. From that date American fishermen had free use of the inshore fisheries of this island, and landed fish and fish oil without being charged any duty therefor; while the merchants of this island, placing full faith and confidence in Mr. Fish's proposal, exported their fish to the United States, relying implicitly on the good faith of the United States Government, and never doubting but that the President would recommend to and urge upon Congress the expediency of making provision for the refunding of the duties which they had paid.

The Committee of the Executive Council now learn with great surprise that on enquiries being made on the subject of refunding those duties, the United States Government have replied that the President did not intend to urge upon Congress the introduction of a Bill in accordance with Mr. Fish's proposition. It would appear that the ground taken by the President of the United States for declining to recommend to Congress the introduction of a Bill having for its object the refunding of the duties paid on British fish during the past season is, that his "proposal, made through Mr. Fish, in May last, contemplated the united action of all the British colonies, and that it would not be practicable to separate them, or carry into effect for one what the President was willing to recommend for all those colonies."

The Committee submit that the Treaty of Washington itself recognizes the power of each Colonial Government or Legislature to act for itself independently of the other—that no legislation on the part of one of those Governments can interfere with, or affect, or bind the territory within the jurisdiction of another Colonial Government.

That the Government of this island did, on the recommendation of Her Majesty's Imperial Government, on the 24th of July last, issue an order (as proposed by Mr. Fish) giving effect to the treaty within this island, and admitting American fishermen to the free use of its fisheries during the season of 1871—that American fishermen at once availed themselves of this valuable privilege, and during the season of 1871 were not molested in the prosecution of the fisheries around the shores of this island. That the United States consul resident here was duly notified of the relaxations made in favor of American fishermen, and that Sir Edward Thornton was at the same time informed by telegraph, by Lieutenant-Governor Robinson, that the proposals of Mr. Fish were agreed to by the Government of this island, that the Government of the United States accepted all the advantages thus conferred upon their fishermen during the whole season of 1871; and now, when the season has ended, and application is made to them to fulfil their part of the agreement thus virtually made, they repudiate the payment of the equivalent for the advantages they received, on the ground that the whole of the Provinces named did not virtually accept their proposals. If they purpose taking this course, they should at once, on becoming aware that the Government of the Dominion of Canada had not acceded to their proposals have intimated to the Government of this island, through the proper official

annel, that it was not their intention to fulfil their own stipulations, unless united action was taken on them by all the colonies, and have forbidden their fishermen to take fish within a marine league of the shores of Prince Edward Island.

Refunding those duties to the parties who pay the same is, by Mr. Fish's proposal, made contingent only on the suggestion meeting with the approval of the British Government, and not on any united action of the Colonial Governments. That did meet the approval of Her Majesty's Imperial Government is proved by Your Lordship's despatch, No. 444, dated 17th June, 1871, addressed to Lord Lisgar, as well as by the action of the Government of this island, on the 24th July last, and by the free admission, during the present season, of American fish and fish oil to the ports of this island, and of American fishermen to the privilege of the inshore fisheries thereof.

The Committee of the Executive Council therefore consider it to be their duty to call the special attention of Your Lordship to this extraordinary breach of faith on the part of the United States Government, by which our mercantile men will sustain heavy pecuniary losses; and they trust that Her Majesty's Imperial Government will cause the British Minister at Washington to continue earnestly to urge upon the United States Government the necessity of paying a claim the justice of which cannot be disputed.

The Treaty of Washington not having yet been ratified by the Legislatures of the several Provinces named therein, the moral effect of the repudiation by the United States of the provisional arrangement of last season will, if such a course be persisted in, materially strengthen the opposition necessary to give effect to the said Treaty.

JAMES C. POPE,  
T. HEATH HAVILAND, *Colonial Secretary.*  
FREDK. BRECKEN, *Attorney-General.*  
A. A. McDONALD,  
WM. RICHARDS,  
JOHN LEFURGY,

(Certified.)

WILLIAM C. DESBRISAY, *Asst't. Clerk Ex. Council*

No. 38.

PRINCE EDWARD ISLAND.

DOWNING STREET, 31st July, 1873.

SIR,—I have received and laid before the Queen your despatch, No. 42, of the 7th of June, forwarding a Joint Address to Her Majesty from the Legislative Council and House of Assembly of Prince Edward Island, on the subject of the refund by the United States of certain duties collected in the year 1871, on fish oil and fish imported into the United States from Prince Edward Island, with a Minute from the Executive Council on the subject.

Her Majesty's Government much regretted the refusal of the United States Government to propose to Congress the refund of these duties, and they will consider whether this claim should be again brought under the notice of the United States Government; but they cannot admit any liability, on the part of the Imperial Treasury, to indemnify the merchants who exported fish and fish oil from Prince Edward Island to the United States in 1871.

I have the honor to be, Sir, your most obedient, humble servant,

KIMBERLEY.

True copy

R. R. HODGSON, *Private Secretary.*

Lieutenant-Governor ROBINSON, &c., &c., &c.

4th April, 1881.

That the House do come to the following Resolution:—

Resolved, That this House hereby affirms the right of Prince Edward Island to receive a proportional share of the Halifax Fisheries Commissioners' award, and



recommends that, failing to procure the same from the Dominion Government by any other means, the Government of this Province take steps to obtain a judicial decision of the question at issue between the two Governments.

Mr. Perry moved in amendment to the question, seconded by Mr. Farquharson, Resolved, In the opinion of this House that it is highly inexpedient on the part of the Government of this island to resort to any court of law to enforce the claim of this island to a portion of the fishery award until the question of our rights to receive such portion has been fairly submitted to the House of Commons of Canada apart from the claims of the other Provinces, and decided adversely to this Province.

#### APPENDIX (M).

1. Copy of Despatch, dated 18th December, 1880, from Secretary of State for Colonies in answer to Joint Address of both Houses to the Queen, respecting share of the sum awarded by "Halifax Commission," for use of Fisheries of P. E. Island by citizens of the United States.

ALSO,

2. Copy of an approved Report of Dominion Privy Council, referred to in said despatch, 5th October, 1880.

"T. HEATH HAVILAND, Lieutenant-Governor.

"The Lieutenant-Governor transmits to the Legislative Council the accompanying copy of a despatch from the Right Hon. the Secretary of State for the Colonies, in reply to the Joint Address of the Legislative Council and House of Assembly to the Queen, praying for a share of the sum awarded by the Halifax Commission under the Treaty of Washington, for the use of the fisheries of Prince Edward Island by citizens of the United States.

"And also a copy of an approved report of the Dominion Privy Council, referred to in the said despatch."

GOVERNMENT HOUSE, 18th March, 1881.

DOWNING STREET, 18th December, 1880.

MY LORD,—I have the honor to acknowledge the receipt of Your Lordship's despatch, No. 238, of the 9th October last, enclosing, together with an approved report of the Dominion Privy Council thereon, an Address to the Queen from the Legislative Council and House of Assembly of Prince Edward Island, praying for compensation for the use of the island fisheries by citizens of the United States, from the 24th July, 1871, to the 18th of July, 1873, and for payment out of the Halifax Fisheries Commissioners' award of a sum of one million two hundred and fifty thousand dollars for the use of the island fisheries by United States citizens for the period of twelve years from the date when the fishery articles of the Treaty of Washington came into operation.

2. The papers submitted in your despatch have received the careful consideration of Her Majesty's Government, and I have now the honor to request that you will communicate the following observations to the Lieutenant-Governor of Prince Edward Island for the information of the Provincial Government and Legislature.

3. The Halifax Fisheries Commission in making its award took no account of admission of American citizens to the colonial fisheries, in anticipation of the fishery clauses of the treaty taking effect, but the award was based exclusively on the advantages derived by the United States during the treaty term of twelve years, dating from the 1st July, 1873. This being so, and Prince Edward Island having been included in the Dominion during the whole of the period in respect of which the compensation was awarded, and the control over and the expenses of regulating and protecting the fisheries, for the use of which the compensation was awarded, having been, by the terms of Union, vested in and laid upon the Dominion Government, it seems to follow that the compensation (except so much as was due to the separate colony of Newfoundland) has been properly treated as belonging to the Dominion.

It was in that view that it was paid over by Her Majesty's Government to the Government of the Dominion, and Her Majesty's Government could not now interpose and require the Dominion Government to apportion it among the different Provinces.

4. I request that the Legislative Council and House of Assembly of Prince Edward Island may be informed that their Address has been laid before the Queen, but that in the circumstances referred to I have been unable to advise Her Majesty to give any directions in accordance with the prayer of it.

I have, &c.,

KIMBERLEY.

Governor General the Right Hon. the Marquis of LORNE, K.T., G.C.M.G.

*Copy of a Report of a Committee of the Honorable the Privy Council, approved by His Excellency the Governor General in Council on the 5th October, 1880.*

On a report dated 3rd July, 1880, from the Hon. the Acting Minister of Justice, to whom was referred the Address to Her Majesty from the Legislative Council and House of Assembly of Prince Edward Island, praying for compensation for the use of the island fisheries by citizens of the United States, from the 24th July, 1871, to the 1st July, 1873, and for the payment out of the sum awarded by the commission under the Treaty of Washington, and remaining in the hands of the Dominion Government, of the sum of \$1,250,000, which the island considers itself justly entitled to for the use of her fisheries by citizens of the United States for the period of twelve years from the date of the treaty coming into operation.

The Minister of Justice reports that on the 6th day of December, 1879, a sub-committee of the Privy Council, of which sub-committee he was a member, made a report upon similar claims made by the Prince Edward Island Government upon the Government of Canada, and on the 10th December, 1879, an Order in Council was passed approving of such report.

That on the 7th April, 1880, the following proceedings took place in the House of Commons of Canada, namely:—

“The House resumed the adjourned debate on Mr. Macdonnell's (Inverness) proposed motion, that it be—

1. “Resolved, That the sum of \$5,500,000 paid by the Government of the United States to the Government of the United Kingdom, under the fishery award, was the ascertained amount of the excess in value of the privileges accorded under articles eighteen and thirty-two of the Washington Treaty to the citizens of the United States, over and above the privileges accorded by articles nineteen and twenty-one of said treaty, to the subjects of Her Britannic Majesty.

2. “Resolved, That the privileges so accorded to the citizens of the United States consist in the ‘liberty to them, in common with the subjects of Her Britannic Majesty, to take fish of every kind, except shell fish, on the sea coast and shores, and in the bays, harbors and creeks of the Provinces of Quebec, Nova Scotia, New Brunswick, Newfoundland and Prince Edward Island, and of the several islands thereunto adjacent, without being restricted to any distance from the shore, with permission to land upon the said coasts and shores and islands, and also upon the Magdalen Islands, for the purpose of drying their nets and curing their fish, provided that in so doing they do not interfere with the rights of private property or with British fishermen in the peaceable enjoyment of any part of the sea coast, in their occupancy for the same purpose.’ It being understood by the high contracting parties that the said liberty applies solely to the sea fishery.

3. “Resolved, That the said privileges accorded to the citizens of the United States were territorial rights belonging to the different Provinces to which the fisheries in which they were granted are adjacent respectively.

4. “Resolved, That the disadvantages and injury suffered by reason of the granting of said privileges to the citizens of the United States are of a local nature, and are suffered by the inhabitants of the several Provinces upon whose coasts the said privileges are enjoyed.



5. "Resolved, That the Government of the United Kingdom have apportioned and paid to the said Province of Newfoundland the sum of \$1,000,000 as the estimated portion of the amount of said award to which the said Province was entitled for such of the said privileges granted to the inhabitants of the United States as are enjoyed by them on the coasts and sea shores of Newfoundland.

6. "Resolved, that the balance of the amount of said award, viz : \$4,490,882.94 has been handed over by the Government of the United Kingdom to the Government of Canada.

7. "Resolved, That it is the opinion of this House that the said other Provinces of Quebec, Nova Scotia, New Brunswick and Prince Edward Island, notwithstanding that they form a part of the Confederation of Canada, have each claims and rights to distributive shares of the said amount of said award, according to the extent to which the said privileges were enjoyed on their respective sea coasts and shores, on the same principles on which the claims and rights of Newfoundland were recognized, and that the said claims and rights of the said other Provinces have not been impaired by the fact that they form a portion of said Confederation.

"Mr. Richey moved in amendment thereto,

"That the resolutions be amended as follows:—

"In the third resolution, all the words after 'That' be expunged, and the following inserted instead thereof: 'the privileges so accorded to the citizens of the United States are in derogation of these rights of British subjects, which enured to the benefit of the people of the different Provinces to which the fisheries in which they were granted are adjacent respectively.'

"In the seventh resolution all after the word 'That' be expunged, and the following inserted instead thereof: 'in the opinion of this House the Provinces of Quebec, Nova Scotia, New Brunswick and Prince Edward Island are entitled to an appropriation of the award, in such manner as to afford to the inhabitants of the said several Provinces the full benefit of the same, in proportion to the value of the privileges conceded upon the coasts and in the waters of those Provinces respectively.'

"Sir John A. Macdonald moved in amendment to the main motion:—

"That all the words after 'That' be expunged, as also the proposed amendment thereto, and the following inserted instead thereof: 'by the British North America Act, 1867, the sea coast and inland fisheries in the Dominion, and the control, regulation and protection thereof, were vested in the Government and Parliament of Canada.

"That the responsibility and duty of regulating and protecting such fisheries were, from 1st July, 1867, undertaken by the Federal Government and Legislature.

"That great expense was thereby cast upon and defrayed from the Dominion treasury.

"That such responsibility cannot constitutionally be surrendered or transferred to any of the Provinces, and, if it were possible to do so, the transfer would be injurious to the best interests of the Provinces more immediately concerned in the development of the fisheries, as they would be alike legally and pecuniarily unable to bear the burthen and afford the necessary protection.

"That the duty of fostering and protecting the fisheries is certain to entail great expense on the Dominion in the future.

"That such expenditure, and the public advantage to be derived therefrom, are co-relative, and that the portion of the fishery award paid over to Canada constitutionally and of right belongs to the Dominion of Canada.'

"And a debate arising thereupon,

"And the House having continued to sit until Twelve of the clock, midnight,

"THURSDAY, 8th April, 1880.

"And the debate continuing,

"Mr. Weldon moved that the debate be adjourned,

"Which was negatived,

"And the question being put on the said proposed amendment, it was agreed to on the following division:—

"Yeas:—Messieurs Angers, Arkell, Baby, Baker, Bannerman, Barnard, Beauchesne, Benoit, Bergeron, Bolduc, Boulton, Bourbeau, Bowell, Brooks, Brown, Bunster, Burnham, Cameron (Victoria), Carling, Caron, Casey, Casgrain, Cimon, Colby, Connell, Costigan, Coughlin, Coupal, Coursol, Currier, Cuthbert, Daoust, Dawson, Desaulniers, Desjardins, Domville, Drew, Dugas, Elliot, Ferguson, Fitzsimmons, Fleming, Fortin, Fulton, Gault, Gigault, Gillies, Girouard (Jacques Cartier), Girouard (Kent), Grandbois, Gunn, Haggart, Hay, Hesson, Hilliard, Hooper, Houde, Hurteau, Ives, Jones, Keeler, Kilvert, Kranz, Landry, Lane, Langevin, LaRue, Little, Macdonald (Victoria, B.C.), Macdonell (Lanark), McDonald (Pictou), Mackenzie, Macmillan, McCallum, McCuaig, McDougall, McGreevy, McInnes, McLennan, McQuade, McRory, Malouin, Massue, Merner, Méthot, Montplaisir, Mousseau, O'Connor, Oliver, Olivier, Orton, Onimet, Paterson (Brant), Patterson (Essex), Perrault, Pinsonneault, Platt, Plumb, Pope (Compton), Pouppore, Rinfret, Ross (Middlesex), Rouleau, Routhier, Royal, Ryan (Marquette), Ryan (Montreal), Rykert, Skinner, Sproule, Strange, Tassé, Tellier, Thompson (Cariboo), Tilley, Tupper, Vallee, Vanasse, Wade, Wallace (Norfolk), Wallace (York), White (Cardwell), White (Renfrew), Williams, Wiser and Wright.—126.

"Nays:—Messieurs Allison, Anglin, Bill, Bourassa, Brecken, Burpee (Sunbury), Daly, Doull, Dumont, Fiset, Flynn, Geoffrion, Gillmor, Hackett, Haddow, Kaulbach, Killam, King, Longley, Macdonald (King's), McDonald (Victoria, N.S.), McIsaac, McLeod, Muttart, Ogden, Pickard, Richey, Robertson (Shelburne), Rogers and Weldon.—30.

"The main motion, as amended, was then agreed to.

"The House then adjourned at 25 minutes past 4 o'clock, a. m."

That Prince Edward Island entered the Dominion of Canada on the 1st July, 1873.

The Minister states that he is of opinion that any claim that the island may consider itself entitled to assert with reference to the use of its fisheries before that date, under the circumstances referred to in the Address, is a claim which cannot properly be made upon the Government of Canada.

He recommends that the Address to Her Majesty above referred to be transmitted by Your Excellency to the Colonial Secretary, together with a copy of the report of the sub-committee of the 6th December, 1879, of the Order in Council of the 10th December, 1879, above referred to, and of his report.

The Committee concur in the foregoing recommendation, and submit the same for Your Excellency's approval.

Certified.

J. O. COTÉ, Clerk Privy Council.

30th March, 1881.

On motion of the Hon. Mr. Sullivan, seconded by the Hon. Mr. Prowse,—

Resolved, That the House do come to a resolution as followeth:—

Whereas, by the terms of Union between Prince Edward Island and the Dominion of Canada, the Government of the Dominion undertook and agreed "to establish and maintain efficient steam service for the conveyance of mails and passengers between the island and the mainland of the Dominion, winter and summer, thus placing the island in continuous communication with the Intercolonial Railway, and the railway system of the Dominion."

And whereas no such efficient steam service has been maintained during any winter since this island became part of the Dominion.

Resolved, therefore, that a Joint Address from the Legislative Council and House of Assembly be presented to His Excellency the Governor General, representing the failure of the Dominion Government to carry out that part of the terms of Confederation above referred to; and praying that His Excellency in Council will take such action as shall cause the grievance above recited to be remedied and the terms of Confederation to be fulfilled; and that the Legislative Council be requested to join in the said Address.



4th, April, 1881.

The Hon. Mr. Sullivan, from the committee appointed to join a committee of the Legislative Council to prepare the Address to His Honor the Lieutenant-Governor, praying His Honor to transmit the Joint Address of both Houses to His Excellency the Governor General, praying that immediate measures may be adopted by the Dominion Government to fulfil the terms of Confederation with Prince Edward Island, by establishing and maintaining efficient steam service for the conveyance of mails and passengers between the island and the mainland of the Dominion, winter and summer, and by causing to be placed at the disposal of the island compensation for the failure on the part of the Dominion to carry out said terms, reported the delivery of the said Joint Address, and that His Honor was pleased to say he would have much pleasure in forwarding the same to be laid before His Excellency the Governor General.

The Bill was accordingly read the second time.

Ordered, That the said Bill be now committed to a Committee of the Whole House.

The House accordingly resolved itself into the said committee.

Mr. Cameron took the Chair of the committee, and after some time spent therein, Mr. Speaker resumed the Chair,

And the Chairman reported that the committee had gone through the Bill, without making any amendment thereto, and the report was again read at the Clerk's table, and agreed to by the House.

Ordered, That the said Bill be engrossed, and that the title be "An Act to further amend 'An Act to incorporate the Town of Summerside, and the Act in amendment thereof.'"

31st March, 1881.

The Hon. Mr. Sullivan, from the committee appointed to join a committee of the Legislative Council to prepare an humble Address to His Excellency the Governor General, praying that immediate measures may be adopted by the Dominion Government to fulfil the terms of Confederation with Prince Edward Island, by establishing and maintaining efficient steam service for the conveyance of mails and passengers between the island and the mainland of the Dominion, winter and summer, and by causing to be placed at the disposal of the island compensation for the failure on the part of the Dominion to carry out said terms, presented to the House the draft of an Address as prepared by the said joint committee, which Address being again read at the Clerk's table, was agreed to by the House, and is as follows:—

#### ADDRESS

To His Excellency the Right Honorable Sir John Douglas Sutherland Campbell (commonly called the Marquis of Lorne), Knight of the Most Ancient and Most Noble Order of the Thistle, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Governor General of Canada, and Vice Admiral of the same, &c., &c., &c.

We, Her Majesty's dutiful and loyal subjects, the Legislative Council and House of Assembly of Prince Edward Island, in General Assembly convened, approach Your Excellency, and represent:

1. That upon the 1st day of July, 1873, Prince Edward Island entered the Confederation of the Dominion of Canada, upon certain terms and conditions set forth in an Order of Her Majesty the Queen in Council, dated the 26th June, 1873.

2. That in the said terms and conditions of Union it was expressly stipulated that the Dominion Government should assume and defray all the charges for the establishment and maintenance of efficient steam service for the conveyance of mails and passengers between this island and the mainland of the Dominion, winter and summer, so as to place this island in continuous communication with the Intercolonial Railway, and the railway system of the Dominion.

3. That during no winter season intervening between the year 1873 and the present time has the steam service provided by the Dominion Government been efficient, or the communication with the mainland in any degree continuous.

4. That during the first winter season after the Union no attempt was made by the General Government to provide such steam service; that during the two subsequent winter seasons, viz., those of 1874-5 and 1875-6, a wooden steamboat, called the "Albert," was placed upon the route between Georgetown and Pictou, but she failed to perform the service satisfactorily; that at the commencement of the winter season of 1876-7 a new steamer, called the "Northern Light," which had been constructed expressly for the work, was placed upon the route.

5. That the records of the trips made by this steamboat are inaccessible to us, but it is notorious that these trips have been most irregular and unsatisfactory, and that at times she has been detained, ice-bound, for periods ranging from ten to twenty-four days, to the imminent danger of passengers and mails. On more than one occasion during the present winter some of the passengers, among whom were several females and children, were forced, after remaining on board the vessel for several days, to leave her and walk a distance of many miles to the shore, when night overtaking them, they received severe injuries from cold and exposure, and one of them has been crippled for life.

6. That the people of this Province have suffered great loss, by reason of the frequent interruptions to the winter steam service, involving extraordinary delay, not only in the transmission of important letters by mail, but also in the conveyance of passengers, thereby causing serious derangement of trade and immense inconvenience to the entire community.

7. That the experience of the last five years fully convinces us that the steamer "Northern Light" is totally unfitted to perform that efficient service undertaken by the Dominion Government, and as we are of opinion that ample time has been allowed for experiments, we submit that means should be adopted without further delay to secure to this Province continuous communication, in accordance with the terms of Union.

8. That one of the principal inducements held out to this Province to enter the Confederation was the promise of constant communication with the mainland, and the prospect of participating in the benefits arising from the Intercolonial Railway and other public works, from which its inhabitants had been previously debarred for a large portion of the year, and to the maintenance of which they are called upon to contribute, without deriving any corresponding advantage.

9. We submit that the good faith of the Dominion Government is pledged to the fulfilment of the compact of Confederation, involving the establishment and maintenance of efficient steam service with the mainland, and continuous communication with the Intercolonial and other Dominion railways, and we represent that Prince Edward Island is justly entitled to receive from the Dominion compensation for the non-fulfilment by the Dominion Government of the terms of Union in the particular herein mentioned.

Wherefore the Legislative Council and House of Assembly pray that Your Excellency in Council will take the foregoing facts into your most serious consideration, and adopt vigorous and immediate measures to remedy the grievances complained of, and cause to be placed at the disposal of Prince Edward Island the compensation to which the Province is entitled by reason of the non-fulfilment by the Dominion of the terms of Confederation.

And, as in duty bound, we will ever pray.

Ordered, That the said Address be engrossed.

On motion of the Hon. Mr. Sullivan, seconded by the Hon. Mr. Prowse,—

Resolved, That a committee be appointed to join a committee of the Legislative Council, to prepare an Address to His Honor the Lieutenant-Governor, requesting that His Honor will be pleased to transmit the humble Address of both Houses to His Excellency the Governor General, praying that immediate measures may be adopted by the Dominion Government to fulfil the terms of Confederation with



Prince Edward Island, by establishing and maintaining efficient steam service for the conveyance of mails and passengers between the island and the mainland of the Dominion, winter and summer, thus placing the Province in continuous communication with the Intercolonial Railway and the railway system of the Dominion, and by causing to be placed at the disposal of the island compensation for the failure, on the part of the Dominion, to carry out said terms.

T. HEATH HAVILAND, Lieutenant-Governor.

The Lieutenant-Governor transmits to the Legislative Council the accompanying copy of a Minute of the Executive Council, dated 26th November, 1881, forwarded to Her Majesty the Queen for her consideration, respecting the claim of this Province to compensation from the Imperial Government for the use of the fisheries thereof by citizens of the United States, from the 24th July, 1871, to the 1st July, 1873.

Also a copy of a report of a Committee of the Hon. the Privy Council of Canada approved by His Excellency the Administrator of the Government in Council on the 23rd December, 1881, recommending the said claim for compensation to the favorable consideration of Her Majesty's Government.

And also all the correspondence between the Lieutenant-Governor and the Secretary of State at Ottawa, upon the subject of the said Minute of the Executive Council of the 26th November, 1881.

GOVERNMENT HOUSE, 28th March, 1882.

COPY of a Minute of the Executive Council, dated 26th November, 1881, forwarded to Her Majesty the Queen for her consideration, respecting the claim of this Province to compensation from the Imperial Government for the use of the fisheries thereof by citizens of the United States, from the 24th July, 1871, to the 1st July, 1873.

#### No. 38.

PROVINCE OF PRINCE EDWARD ISLAND,

GOVERNMENT HOUSE, 3rd December, 1881.

SIR,—I have the honor to forward herewith to His Excellency the Administrator of the Government of Canada, for transmission to Her Majesty the Queen, a Minute of my Council for the consideration of Her Majesty the Queen, respecting the claim of this Province for compensation from the Imperial treasury for the use of the fisheries thereof by citizens of the United States, from the 24th July, 1871, to the 1st July, 1873; and also a certified Minute of my Council, requesting me to forward the said Minute to Her Majesty the Queen, through the proper channel, and to solicit the Dominion Government to join in urging upon the Imperial Government compliance with the prayer contained in the said Minute.

I have the honor to be, Sir, your obedient servant,

T. HEATH HAVILAND, *Lieutenant-Governor.*

Hon. the Secretary of State, Ottawa.

EXTRACT from the *Minutes of the Executive Council of Prince Edward Island.*

COUNCIL CHAMBER, 26th November, 1881.

At a meeting of the Executive Council in Committee:

*Present:*

MESSRS. SULLIVAN,  
PROWSE,  
LEFURGY,  
ARSENAULT,

MESSRS. FERGUSON,  
CAMPBELL,  
MACLEOD,  
GAVIN,

The Council in committee request that His Honor the Lieutenant-Governor will be pleased to forward the subjoined Minute to Her Majesty the Queen, through the proper channel, and solicit the Dominion Government to join in urging the Imperial Government compliance with the prayer contained in the said Minute.

The Council in committee desire to submit, for the consideration of Her Majesty the Queen, that :

In the Session of 1880 the Legislature of this Province forwarded a memorial to Your Majesty, humbly praying that for certain reasons therein contained, and on account of certain facts and statements therein set forth, Your Majesty would be pleased to order that justice be done to Your loyal subjects of this Province by the payment to them of compensation for the use of their fisheries by citizens of the United States, from the 24th July, 1871, to the 1st July, 1873; and further order that the payment to them, out of the sum awarded by the commission under the Treaty of Washington, and remaining in the hands of the Dominion Government, of the sum of one million two hundred and fifty thousand dollars, which the Province of Prince Edward Island considered itself justly entitled to for the use of its fisheries by the citizens of the United States for the period of twelve years, from the date of the fishery articles of the said treaty coming into operation.

To this Address a reply was received from Earl Kimberley, Your Majesty's Principal Secretary of State for the Colonies, dated at Downing Street, 18th December, 1880, stating that "the Halifax Fishery Commission, in making its award, took no account of admission of American citizens to the colonial fisheries in anticipation of the fishery clauses of the treaty taking effect, but the award was based exclusively on the advantages derived by the United States during the treaty term of twelve years, dating from 1st July, 1873. This being so, and Prince Edward Island having been included in the Dominion during the whole of the period in respect of which the compensation was awarded, and the control over and the expenses of regulating and protecting the fisheries, for the use of which the compensation was awarded, having been, by the terms of Union, vested in and laid upon the Dominion Government, it seems to follow that the compensation (except so much as was due to the separate colony of Newfoundland) has been properly treated as belonging to the Dominion, and that it was in that view that it was paid over by Her Majesty's Government to the Government of the Dominion, and Her Majesty's Government could not now interpose and require the Dominion Government to apportion it among the different Provinces."

The Council in committee, while expressing their regret that Your Majesty's Government have felt it their duty so to act in the matter, respectfully submit that Earl Kimberley's despatch contains no answer to that part of the memorial of the Legislature, wherein it was prayed that Your Majesty would order payment to Prince Edward Island of compensation for the use of its fisheries by citizens of the United States, from the 24th July, 1871, to 1st July, 1873. The Secretary of State's reply is but to the effect that the award was in return for the advantages derived during the treaty term of twelve years, and that the previous admission of United States fishermen was not taken into account by the commission. Further perusal of the memorial will show that the Legislature did not request the payment of such compensation out of the award of the Halifax Commission.

The Council in committee respectfully desire the attention of Your Majesty to the following statements :—

That it was at the urgent solicitation of Your Majesty's Imperial Government, conveyed in a despatch from Earl Kimberley to Lieutenant-Governor Robinson, dated 17th June, 1871, covering a despatch of even date, addressed to the Governor General, that the Government of Prince Edward Island, upon the 24th July, 1871, promptly sanctioned the admission of American fishermen to all the liberties which were intended to be secured to them by the Treaty of Washington. Earl Kimberley, in this despatch to the Governor General, states that it being necessary to endeavor to find an equivalent which the United States might be willing to give in return for the fishery privileges, and which Great Britain, having regard both for Imperial and colonial interests, could properly accept, Her Majesty's Government were well aware that the arrangement which would have been most agreeable to Canada was the conclusion of a treaty similar to the Reciprocity Treaty of 1854, and that a proposal to this effect was pressed upon the United States commissioners, but declined, as they



could hold out no hope that the Congress of the United States would give its consent to such a tariff arrangement as was proposed, or to any extended plan of reciprocal free admission of the products of the two countries. It further stated that whilst in deference to the strong wishes of the Dominion Government, Her Majesty's Government used their best efforts to obtain a renewal in principle of the Reciprocity Treaty, yet found it their duty, looking to all the circumstances, to deal separately with the fisheries, and to endeavor to find some other equivalent, and that the reciprocal concession of free fishery, with free import of fish and fish oil, together with the payment of such a sum of money as might fairly represent the excess of value of the colonial over the American concession, seemed to them to be an equitable solution of the difficulty. The same despatch also strongly set forth that Canada could not reasonably expect that Great Britain should, for an indefinite period, incur the constant risk of serious misunderstanding with the United States, imperilling, perhaps, the peace of the whole Empire, in order to endeavor to force the American Government to change its commercial policy, and recommended the immediate admission of American fishermen to all the privileges proposed to be conceded to them by the treaty, being confident that the Canadian Government were as desirous as Her Majesty's Government that no untoward collision should occur during that season which might prejudice the fair consideration of the treaty, both by the American Congress and the Colonial Parliaments, and that, on a full consideration of the circumstances, they would see that the responsibility of incurring the risk of such a collision would be far heavier than that of removing, so far as they had the power, the obstacles to the provisional enjoyment by American citizens of the privileges which it was intended by the treaty to secure to them for a longer time.

Such were the reasons adduced by Earl Kimberley in his despatch to Lieutenant-Governor Robinson, of 17th June, 1871, and for which Your Majesty's Government strongly urged upon the Government of this island that the same course should be pursued as in 1854, and the application made by the United States Government acceded to, so that American fishermen might be at once allowed, during that season, the provisional use of the privileges granted to them by the treaty.

Upon receipt of this despatch, in a Minute of Council dated 17th July, 1871, the Government of this island intimated to Your Majesty's Government their dissatisfaction with the provisions of the Treaty of Washington, and set forth that the natural market for the principal productions of Prince Edward Island was to be found in the United States, as had been proved during the continuance of the Reciprocity Treaty of 1854: That the fisheries of Prince Edward Island were the best and most valuable in America, and much appreciated by the fishermen of the United States; that the various Governments and Legislatures of the colony had always hoped that these fisheries would have done much to secure the advantages of another reciprocity treaty, or of some tariff concessions authorizing the free admission of the products of the agriculturists, who form the majority of the population, and which would have resulted in promoting the prosperity of the colony; that by the Treaty of Washington the inhabitants of the colony are asked to surrender to the citizens of the United States these invaluable fisheries, without receiving in return any just or fair equivalent, such as was hoped to be obtained. The Minute of Council, in recital, further stated that a commercial arrangement with the United States, in consideration of the use of the fisheries, would have been most acceptable; but as the Royal High Commissioners were unable to induce the American Government to change its commercial policy, the people of Prince Edward Island, being extremely loyal and devotedly attached to British institutions, would be most unwilling to throw any obstacle in the way of an amicable settlement of all causes of difference between Great Britain and the United States, and would, therefore, willingly accept any reasonable money compensation, in addition to the privileges granted as an equivalent, but that under the treaty they considered that nothing of the kind was guaranteed.

To this Minute of Council Earl Kimberley, under date of 3rd September, 1871, expressed the satisfaction with which Her Majesty's Government had learned that

his island had so willingly acceded to their wishes in respect of the provisional admission of American fishermen, and replied that he did not understand why the Prince Edward Island Government should object to the reference of the question of the money compensation to arbitration, which seemed to be the fairest way of determining such a point.

Your Majesty will perceive, from what has been quoted, that it was with extreme reluctance, and only upon the urgent solicitation of Your Majesty's Government, and for the reasons advanced in Earl Kimberley's despatch, that the Government of Prince Edward Island agreed to admit, provisionally, the American fishermen to all the advantages conceded to them by the Treaty of Washington, in anticipation of the joint legislation necessary to bring into operation the fishery articles of the said treaty.

That notwithstanding the request of Your Majesty's Government, the Government of the Dominion of Canada refused to assent to the provisional arrangement proposed by the United States for the admission of their fishermen.

That at the ensuing Session of the Legislature, upon the 29th June, 1872, this island ratified the Treaty of Washington, but that from other causes, beyond the control of the Province, the fishery articles of the said treaty did not come into operation until 1st July, 1873.

That Prince Edward Island entered the Confederation of the Dominion of Canada upon 1st July, 1873 (the same day upon which the fishery articles of the treaty came into operation), but that for two previous seasons, viz., of 1871 and 1872, American fishermen had enjoyed all the liberties secured to them by the treaty, so far as this island was concerned, and had used the fisheries of the island.

That Your Majesty's Government having declared that, viewing the award of the Halifax Commission as covering only the period of twelve years, from 1st July, 1873, during which the treaty is to remain in operation, they paid the same over to Canada as belonging to the Dominion, it therefore reasonably follows that some compensation is due by Your Majesty's Government to Prince Edward Island for the period of two years, when, as a separate Government, at Your Majesty's request American fishermen were admitted to the same privileges as those for which this award has been made.

The Council in committee humbly request Your Majesty's attention to the memorial of the Legislature hereinbefore referred to, and pray that for the privileges granted as herein set forth, compensation may be allowed to this Province from the Imperial treasury.

Certified true extract.

F. J. CONROY, *Clerk Executive Council.*

*Correspondence between the Lieutenant-Governor and Secretary of State at Ottawa upon the subject of the said Minute of the Executive Council of 26th November, 1881.*

OTTAWA, 9th December, 1881.

SIR,—I have the honor to acknowledge the receipt of your despatch of the 3rd instant, No. 38, and its enclosures (2), asking for compensation from the Imperial Government in respect to use of fisheries by citizens of the United States prior to 1st July, 1873.

I have the honor to be, Sir, your obedient servant,

EDOUARD J. LANGEVIN, *Under Secretary of State.*

His Honor the Lieutenant-Governor of Prince Edward Island,  
Charlottetown.

No. 10.

PROVINCE OF PRINCE EDWARD ISLAND,  
GOVERNMENT HOUSE, 28th February, 1882.

SIR,—My Government, by a Minute of Council, have recommended that application be made to the Dominion Government for copies of Minute of Privy Council of



Canada, and of all despatches and documents which accompanied or were forwarded in reference to Minute of Council of this Province, dated 26th November, 1881, to Her Majesty the Queen, on the subject of Prince Edward Island's claim for compensation for the use of her fisheries by citizens of the United States, from 24th July, 1871, to 1st July, 1873.

The information requested my Government are desirous of having in their possession before the meeting of the General Assembly of this Province, which takes place on Wednesday, the 8th of March next.

I have the honor to be, Sir, your obedient servant,

T. HEATH HAVILAND, *Lieutenant-Governor*.

Hon. the Secretary of State, Ottawa.

*Telegram.*

CHARLOTTETOWN, 1st March, 1882.

*To the Secretary of State, Ottawa:—*

Posted despatch yesterday applying for copies of Minute of Privy Council of Canada, and of all despatches and documents which were forwarded in reference to Minute of Council of this island of 26th of November last, to the Queen, on the subject of Prince Edward Island's claim for compensation for the use of her fisheries by United States citizens, from July, one thousand eight hundred and seventy-one, to July, one thousand eight hundred and seventy-three. This information required, if possible, before the eighth of March, when Assembly meets.

T. HEATH HAVILAND, *Lieutenant-Governor*.

OTTAWA, 2nd March, 1882.

SIR,—With reference to your telegram of 1st instant, I have the honor to transmit to you herewith, for the information of your Government, copies of the Order of His Excellency the Governor General in Council and of the letter transmitting to the Governor General's Secretary the Minute of your Executive Council of the 26th November, 1881, respecting the claim of the Province of Prince Edward Island for compensation for the use of the fisheries around the island by citizens of the United States between the years 1871 and 1873.

I have to add that the Minute of your Executive Council, above referred to, was duly forwarded to the Right Hon. the Secretary of State for the Colonies, in terms of the Order of His Excellency in Council, but that no reply thereto has yet been received.

I have the honor to be, Sir, your obedient servant

J. A. MOUSSEAU, *Secretary of State*.

His Honor the Lieutenant-Governor of Prince Edward Island,  
Charlottetown.

**COPY** of a Report of Committee of the Honorable the Privy Council of Canada approved by His Excellency the Administrator of the Government in Council on the 23rd December, 1881, recommending the said claim for compensation to the favorable consideration of Her Majesty's Government.

The Committee of Council have had under consideration a despatch dated 3rd December, 1881, from His Honor the Lieutenant-Governor of Prince Edward Island, enclosing a Minute of his Executive Council, dated 26th November, 1881, transmitting a memorial to Her Majesty the Queen, praying compensation from the Imperial exchequer for the use of fisheries around the island by United States citizens during the two years preceding the operation of the fishery articles of the Washington Treaty, and soliciting the Dominion Government to join in urging upon the Imperial Government compliance with the prayer of the said Minute.

The Acting Minister of Marine and Fisheries, to whom the despatch and enclosures were referred, advises, in a report dated 21st December, 1881, that in for-

arding the memorial to Her Majesty the Queen the Government of Canada should recommend the same to the favorable consideration of Her Majesty's Government.

The Committee recommend that the said report be concurred in, and that a copy of this Minute, if approved, be transmitted to Her Majesty's Secretary of State for the Colonies.

Certified.

J. O. COTE, *Clerk Privy Council.*

MARINE AND FISHERIES, CANADA.

OTTAWA, 21st December, 1881.

On a Minute of the Executive Council of Prince Edward Island to Her Majesty the Queen, forwarded by the Lieutenant-Governor, praying compensation from the Imperial exchequer for the use of fisheries around the island by United States citizens during the two years preceding the operation of the fishery articles of the Washington Treaty, and soliciting the Dominion Government to join in urging upon the Imperial Government compliance with the prayer of the said Minute, the undersigned has the honor to suggest that in forwarding this memorial the Government of Canada should recommend the same to the favorable consideration of Her Majesty's Government.

The whole respectfully submitted.

A. W. McLELAN, *Acting Minister of Marine and Fisheries.*

DEPARTMENT OF THE SECRETARY OF STATE,

OTTAWA, 30th December, 1881.

SIR,—I am directed to transmit to you herewith, for the information of His Excellency the Administrator of the Government, the Minute of the Executive Council of the Province of Prince Edward Island referred to in the Order of His Excellency in Council of the 23rd instant, praying compensation from the Imperial exchequer for the use of fisheries around the island by United States citizens during the two years preceding the operation of the fishery articles of the Washington Treaty.

I have, &c.,

EDOUARD J. LANGEVIN, *Under Secretary of State.*

The Governor General's Secretary.

Despatch upon the subject of the Dominion Government establishing and maintaining efficient Steam Service for the conveyance of Mails and Passengers between the Island and the Mainland of the Dominion, winter and summer.

C. HEATH HAVILAND, Lieutenant-Governor.

The Lieutenant-Governor transmits to the House of Assembly the accompanying despatches upon the subject of the Dominion Government's establishing and maintaining efficient steam service for the conveyance of mails and passengers between this island and the mainland of the Dominion, winter and summer.

GOVERNMENT HOUSE, 31st March, 1882.

No. 18.

PROVINCE OF PRINCE EDWARD ISLAND,

GOVERNMENT HOUSE, 7th April, 1881.

SIR,—I have the honor to transmit herewith a Joint Address from the Legislative Council and House of Assembly to His Excellency the Governor General, praying that immediate measures may be adopted by the Dominion Government to fulfil the terms of Confederation with Prince Edward Island, by establishing and maintaining efficient steam service for the conveyance of mails and passengers between this Island and the mainland of the Dominion, winter and summer, thus placing the Province in continuous communication with the Intercolonial Railway and the rail-



way system of the Dominion, and by causing to be placed at the disposal of the island compensation for the failure, on the part of the Dominion, to carry out said terms; and also a Joint Address from the Council and Assembly requesting me to cause the said Address to His Excellency to be laid before him.

I have the honor to be, Sir, your obedient servant,

T. HEATH HAVILAND, *Lieutenant-Governor*.

Hon. the Secretary of State, Ottawa.

OTTAWA, 16th April, 1881.

SIR,—I am directed to acknowledge the receipt of your despatch of the 7th instant, enclosing a Joint Address of the Legislative Council and House of Assembly of the Province of Prince Edward Island, in reference to the establishment and maintenance of steam service for the conveyance of mails and passengers between that Province and the mainland.

I have the honor to be, Sir, your obedient servant,

EDOUARD J. LANGEVIN, *Under Secretary of State*.

His Honor the Lieutenant-Governor of Prince Edward Island,

Charlottetown.

No. 9.

PROVINCE OF PRINCE EDWARD ISLAND,

GOVERNMENT HOUSE, 28th February, 1882.

SIR,—My Government having, by a Minute of Council, recommended me to bring to the notice of the Dominion Government that this Province is yet without a reply from the Privy Council of Canada to the Joint Address of the Legislative Council and House of Assembly, passed last Session, on the subject of the failure of the Dominion Government to carry out the terms of Confederation, by providing continuous communication, winter and summer, between this island and the mainland Provinces of the Dominion.

As the General Assembly meets on the 8th of March my Government are anxious to have the reply with as little delay as possible.

I have the honor to be, Sir, your obedient servant,

T. HEATH HAVILAND, *Lieutenant-Governor*.

Hon. the Secretary of State, Ottawa.

OTTAWA, 8th March, 1882.

SIR,—I have the honor to acknowledge the receipt of your despatch, No. 9, of the 28th ult., requesting a reply to the Joint Address of the Legislative Council and House of Assembly of the Province of Prince Edward Island, passed during their last Session, respecting continuous communication between that Province and the mainland Provinces of the Dominion.

I have the honor to be, Sir, your obedient servant,

EDOUARD J. LANGEVIN, *Under Secretary of State*.

His Honor the Lieutenant-Governor of Prince Edward Island,

Charlottetown.

A TELEGRAM from Sir John A. Macdonald to the Hon. Mr. Sullivan, having reference to the subject of winter communication between this Island and the mainland of the Dominion.

(Copy.)

Telegram from Sir John A. Macdonald to Mr. Sullivan, having reference to question of winter communication.

OTTAWA, 21st March, 1882.

Hon. W. W. SULLIVAN.

The Government are giving their earnest consideration to the question of winter communication between your island and the mainland. I will write in a day or two.

JOHN A. MACDONALD.

Certified a true copy.

F. J. CONROY, *Clerk Executive Council*.

## MESSAGE.

T. HEATH HAVILAND, Lieutenant-Governor.

"The Lieutenant-Governor transmits to the House of Assembly the accompanying copies of despatches and other documents relating to the claims of the Government of this Province against the Government of the Dominion of Canada for the construction and maintenance of all piers in the public harbors and navigable waters in Prince Edward Island; and also for a refund of the amount expended by the Government of Prince Edward Island on such service, from the 1st July, 1873, to the 1st December, 1882.

GOVERNMENT HOUSE, 2nd April, 1883."

GOVERNMENT HOUSE,  
PRINCE EDWARD ISLAND, 10th February, 1883.

SIR,—I have the honor to transmit herewith a Minute of my Council upon the question of communication between this island and the mainland, stipulated for in the terms of Union in 1873.

Also a Minute of my Council claiming a refund of the amount expended by the Government of this Province for the construction and maintenance of piers in the public harbors and navigable rivers of the Province, from 1st July, 1873, to the 31st December, 1882, as shown in the tabular statement or schedule annexed to the said Minute of Council.

I have also enclosed herewith an approved Minute of my Council, bearing date the 31st January last, recommending that the Hon. W. W. Sullivan, Attorney-General; the Hon. Donald Ferguson, Provincial Secretary, and the Hon. Samuel Prowse, be deputed to proceed forthwith to Ottawa, to confer with the Dominion Government respecting the question of communication between this island and the mainland, stipulated for in the terms of Union; and also to represent to them that under the British North America Act it is the duty of Government of Canada to provide for the construction and maintenance of all piers in the public harbors and navigable rivers of the Province, as well as to request a refund of the amount expended by the Government of this Province on such service, from the 1st July, 1873, to the 31st December, 1882.

I have the honor to be, Sir, your obedient servant,

T. HEATH HAVILAND, *Lieutenant-Governor*.

Hon. the Secretary of State.

EXTRACT from *Minute of Executive Council of Prince Edward Island*.

COUNCIL CHAMBER, 31st January, 1883.

*Present :*

The Hon. Messieurs

SULLIVAN,  
CAMPBELL,  
MACLEOD,  
ARSENAULT,

FERGUSON,  
PROWSE,  
LEFURGY,

The following Minute was adopted, and ordered to be handed to His Honor the Lieutenant-Governor, for transmission to the Dominion Government:—

Upon reference to the British North American Act, 1867, the Executive Council in committee observe that by the 108th section the public works and property of each Province enumerated in the third schedule of the said Act, upon its admission into the union, became the property of Canada.

That the works and property therein mentioned embrace "public harbors, light-houses, piers, steamboats, dredges, public vessels, and rivers and lake improvements."

That upon the 1st July, 1873, when the Province of Prince Edward Island was admitted into the Confederation of the Dominion of Canada, its several harbors, light-



houses and rivers passed under the control of the General Government, and their maintenance and improvements became charges upon the general revenue.

That notwithstanding the provisions so plainly set forth in the British North America Act, the duty of maintaining the piers situated in the harbors of the Province was permitted to devolve upon the Provincial Government.

The Council in committee are of opinion that by the provisions of the British North America Act the General Government are justly chargeable with the construction and maintenance of the piers referred to, for the following reasons:—

1. The transference by the authority of the British North America Act, of all provincial public works and property in public harbors, lighthouses, piers, steamboats, dredges, public vessels, rivers and lake improvements, to the ownership of the General Government.

2. Because these structures are intimately connected with and essential to trade and commerce, shipping and navigation, and should, therefore, with these subjects, be directly under the control of the Dominion Parliament.

3. Because the construction and maintenance of these piers may properly be regarded as improvements of the harbors in which they are situate.

4. Because, in other Provinces of the Dominion, the General Government exercise control and authority over structures of a similar kind, and provide for their erection and maintenance, and receive revenues therefrom by way of rents, tolls and wharfage.

5. Because these structures are built and situate upon soil the fee whereof is in the Dominion Government, in which the Provincial Government have no property, and over which they can exercise no authority.

In support of these reasons the Council in committee desire to call attention to a judgment of the Supreme Court of Canada, in the case of Robert T. Holman *et al. vs.* Charles Green, which was an appeal from the Supreme Court of Judicature of Prince Edward Island, and in which the plaintiffs claimed title to land in dispute, under letters patent from the Government of Prince Edward Island, issued in August, 1877. In this case it was held that "the property in public harbors being vested in the Dominion, the soil ungranted at the time of Confederation, between high and low water marks, and being within the limits of public harbors, by the express, unqualified words of the British North America Act, became vested in the Dominion, as part and parcel of the harbors which belonged as property to the Provinces;" and further, that it was but consistent with the other provisions in the said Act "that the property in public harbors, so intimately connected with and essential to trade and commerce, and shipping and navigation, lighthouses and piers, should likewise be vested in the Dominion, for their more efficient management, control and regulation, a matter in which not only the whole Dominion but foreign shipping are likewise interested, and which could hardly be effectually managed and regulated if there were to be a divided control. The court also decided that, upon the admission of Prince Edward Island into the Confederation, its "Executive Government and Legislature ceased to have any property in or executive or legislative power over the ungranted lands between high and low water mark, in such public harbors as that in question;" and that such lands are, "by the provisions of the British North America Act, vested in Her Majesty for the public purposes of the Dominion, and are under the exclusive control of the Dominion Parliament."

The Government of this Province have expended in the construction and maintenance of these piers, from the 1st July, 1873 (the date of Confederation), to the 31st December, 1882, the sum of one hundred and thirty-nine thousand nine hundred and twenty-six dollars and forty-two cents (\$139,926.42), as will more fully appear by the schedule hereunto annexed, marked A.

Regarding the construction of these piers, the Council in committee would remark that the Government, after being fully satisfied of their absolute necessity, caused proper surveys to be made by competent persons, that the contracts were let by public competition, and the work completed at the least possible cost, under the immediate supervision of officers appointed by them for that purpose.

As rents and wharfage therefrom during the same period, the Government of this Province have received the sum of fifteen thousand seven hundred and fifty-eight dollars and thirty-eight cents (\$15,758.38), as will more fully appear by the schedules hereto annexed, marked B and C, which sum, deducted from the total above mentioned, leaves a balance due to Prince Edward Island from the Government of Canada of one hundred and twenty-four thousand, one hundred and twenty-eight dollars and four cents (\$124,168.04).

The Council in committee recommend that application be made to the Dominion Government for a refund of the amount so expended as aforesaid, deducting therefrom the amount received for rents and wharfage, as above stated; and that they be notified that the Government of this Province will no longer contribute to the construction or maintenance of such piers.

(Certified a true extract.)

R. F. DE BLOIS, *Clerk Executive Council.*

*EXTRACT from Minutes of the Executive Council of Prince Edward Island.*

COUNCIL CHAMBER, 31st January, 1883.

Referring to the Minutes of Council this day adopted, the Executive Council in committee recommend that the Hon. W. W. Sullivan, Attorney-General; the Hon. Donald Ferguson, Provincial Secretary, and the Hon. Samuel Prowse, be deputed to proceed forthwith to Ottawa to confer with the Dominion Government respecting the question of communication between this island and the mainland, stipulated for in the terms of Union, and also to represent to them that, under the British North America Act, it is the duty of the Government of Canada to provide for the construction and maintenance of all piers in the public harbors and navigable rivers of the Province, as well as to request a refund of the amount expended by the Government of this Province on such service, from 1st July, 1873, to 31st December, 1882.

(Approved by His Honor the Lieutenant-Governor.)

(Certified a true extract.)

R. F. DE BLOIS, *Clerk Executive Council.*

**MEMORANDUM.**—Referring to their interview with the Privy Council on the 20th instant, the undersigned members of the Government of Prince Edward Island beg to submit herewith, marked (A), a map of that Province, on which is colored in red the locations of the piers mentioned in the claim of Prince Edward Island upon the Dominion Government.

The undersigned desire to point out that, with the exception of one at Souris, in connection with the railway, no piers have been built in Prince Edward Island by the Dominion Government, and that the railway wharves constructed there were paid for by the island, in the same way as the road of which they form a part.

The breakwaters constructed by the Dominion Government are valuable aids to navigation, but cannot be used for shipping purposes.

The depth of water at the piers has been found sufficient for interprovincial and other trade.

There is no personal right or mixed jurisdiction in any of these piers, with the exception of that at Summerside, which, since the expenditure was made thereon, has been passed over to the corporation of that town.

There are open public highways, vested in the Crown, leading to all these piers, with the exception of one at Little Sands, constructed only a few years ago, the right of way to which will be procured and paid for by the Provincial Government.

The accompanying statement, marked (B), showing the export trade for the last fiscal year, carried on at the harbors and navigable rivers in which the piers are situated, demonstrates that the structures are not merely of a local, but of a general character, and that they are indispensable for the proper conduct of trade and navigation with the Provinces of the Dominion, and other places.

With the exception of what is conveyed by rail, all the produce exported from the island is carried by private vehicles directly to the piers, and there shipped.



The bulky nature of the island's exports, consisting chiefly of oats, potatoes, and other farm produce, and of the imports of coals, limestone, lumber, flour, &c., together with the shortness of the shipping season, and the facts of its being an island of no great width, render it a matter of absolute necessity to have the piers situated at convenient distances.

From the statement referred to, it will be seen, that of oats and potatoes alone, nearly three and a-half millions of bushels were shipped from the Province last year.

Owing to a variety of circumstances, such as a brief shipping season, which frequently renders it necessary for vessels to complete their loading at harbors that remain open latest, thus permitting them to only partially load in other places, and the removal in small craft not required to clear or enter at the Customs houses, some of the piers show, in the statement of exports, much less shipping trade than really takes place at them.

The imports of breadstuffs, coals, lumber, and various other articles, from the sister Provinces to Prince Edward Island, fully correspond with the island's exports.

It will be observed that, compared with the expenditure by the Dominion Government on piers in the River St. Lawrence and other places, the cost of constructing and repairing piers in Prince Edward Island is exceedingly small. This is due to the care exercised by the Provincial Government in limiting the expenditure on such structures to the smallest possible amount.

That these expenditures were incurred by the Provincial Government is owing to a misconception naturally arising from the altered circumstances under Confederation, as to the federal and provincial rights and obligations.

Respecting the revenue derivable from the piers, the undersigned observe that under the Customs laws of the Dominion, which permit of refusing a clearance to a vessel till all public dues against her have been paid, the General Government are armed with the means of enforcing payment which is not within the reach of a Provincial Administration.

If further information be required, the undersigned will be happy to supply it; and they should like to be afforded an opportunity of conferring with the Committee of the Privy Council before the latter complete their investigation and report.

W. W. SULLIVAN,  
DONALD FERGUSON,  
SAMUEL PROWSE.

OTTAWA, 23rd February, 1883.

MEMORANDUM.—At an interview yesterday with Sir Hector Langevin and Sir Charles Tupper, the undersigned learned that, respecting the claim of Prince Edward Island upon the Dominion for the cost of construction and maintenance of piers from 1st July, 1873, to 31st December, 1882, the General Government proposed to cause an official examination of such works to be made, with a view to the Dominion Government taking charge thereof in future, and reimbursing the Provincial Government for their outlay in respect of the same during the period mentioned.

As the importance of the works in question can be best determined by a consideration of the trade carried on in connection therewith, the undersigned would suggest that the collector of Customs at Charlottetown be associated in the commission to examine and report thereon.

Respecting the proposal of the Dominion Government to vest in the Government of Prince Edward Island a title to those piers, if any, as might be reported as not of importance to the Dominion, the undersigned desire to repeat and reaffirm their conviction, as previously expressed and communicated, that all the works mentioned in the claim of Prince Edward Island, now before the Dominion Government, are of a general character, and such as, under the terms of Confederation, it is the duty of the Federal Government to provide and maintain. Impressed with this view of the case, the Government of Prince Edward Island would be obliged to decline the acceptance of any of these works, with their attendant obligations.

Of some of the structures in question, such as the piers at Cape Traverse and West Point, the Government of Canada are now in possession of full and accurate information as to their character, &c. This is contained in reports made in 1880 and 1882, by Mr. Boyd, C.E., of the Public Works Department. The undersigned would therefore suggest that, pending the proposed complete examination, a payment on account be made to the Government of Prince Edward Island.

The undersigned desire to again bring to the notice of the General Government that, as it is not the intention of the Government of Prince Edward Island to incur in future any expenditure for the maintenance of these piers, or for the construction of others that may hereafter be required, it will be necessary for the Dominion Government to provide, during the present Session of Parliament, for this service.

As the undersigned desire to be in a position, on their return to the island, to report to their colleagues the result of their mission, they propose to remain in Ottawa till the final decision of the Dominion Government be arrived at, which decision they hope will be communicated to them in time to permit of their leaving for home to-morrow afternoon.

W. W. SULLIVAN,  
DONALD FERGUSON,  
SAMUEL PROWSE.

OTTAWA, 2nd March, 1883.

OTTAWA, 6th March, 1883.

SIR,—I have the honor to transmit to you herewith a certified copy of an Order of the Governor General in Council, upon the subject of the claim of the Government of Prince Edward Island, as set forth in a Minute of the Executive Council of the 31st January, 1883, enclosed in your despatch of the 10th February following, for the construction and maintenance by the Government of Canada of all piers in the public harbors and navigable waters in that Province; and also for a refund of the amount expended by the Government of that Province on such service, from the 1st July, 1873, to the 31st December, 1882.

I have the honor to be, Sir, your obedient servant,

HECTOR L. LANGEVIN, *Acting Secretary of State.*

His Honor the Lieutenant Governor of Prince Edward Island,  
Charlottetown.

*CERTIFIED COPY of a Report of a Committee of the Honorable the Privy Council, approved by His Excellency the Governor General in Council on the 5th March, 1882.*

The Committee of the Privy Council have had under consideration a despatch dated 10th February, 1883, from the Lieutenant Governor of the Province of Prince Edward Island, transmitting a Minute of his Executive Council, dated 31st January, 1883, setting forth that it is the duty of the Government of Canada to provide for the construction and maintenance of all piers in the public harbors and navigable rivers of the Province, as well as to request a refund of the amount expended by the Government of that Province on such service, from 1st July, 1873, to 31st December, 1882.

A sub-committee of Council, to whom was referred the above-cited despatch, report that they had a personal interview, on the 1st March, instant, with the three members of the Prince Edward Island Government, delegated to proceed to Ottawa, and communicated to them, as authorized, the views of the Canadian Government on the despatch cited; and that subsequently, on the 3rd instant, one of the sub-committee received the accompanying memorandum, No. 2, from the above-mentioned members of the Prince Edward Island Government.

The sub-committee recommend that the members of the Prince Edward Island Government be informed:—

1st. That the Canadian Government is and will be ready at any time to give, in any harbor in Prince Edward Island, a proprietary title to any foreshore which may



belong to it, and which the Government of Canada do not wish to retain, in accordance with the recent judgment of the Supreme Court of Canada, *re Holman vs. Green*, on an appeal from the Supreme Court of Prince Edward Island to the Prince Edward Island Government, or to any company incorporated to work or improve said harbor.

2nd. That the Canadian Government will cause an immediate examination of the harbors and piers enumerated in the first above-mentioned memorandum, in order to ascertain whether any, and how many of said harbors and piers may be considered of such general public importance as to warrant them to be improved or maintained by the Canadian Government.

3rd. That finally the Canadian Government will examine the claim for indemnity made by the Prince Edward Island Government in connection with these harbors and piers, in order to ascertain whether this claim is well-founded in whole or in part, and then whether any sum and what sum should be paid therefor to the Prince Edward Island Government.

The Committee concur in the recommendation above set forth, and they submit the same for Your Excellency's approval.

JOHN J. MCGEE.

Hon. the Secretary of State.

MESSAGE, *Minute of Council and Telegram respecting Steam Communication.*

MESSAGE.

T. HEATH HAVILAND, Lieutenant-Governor.

The Lieutenant-Governor transmits to the House of Assembly the accompanying copy of a Minute of the Executive Council, dated 31st January, 1883, on the subject of efficient steam communication between the Province of Prince Edward Island and the mainland.

Also a memorandum dated at Ottawa on the 3rd March, on the same subject, signed by Hons. W. W. Sullivan, Donald Ferguson and Samuel Prowse.

Also a copy of a telegram dated 27th March last, from the Lieutenant-Governor to the Secretary of State at Ottawa, on the same subject.

And also a copy of a telegram dated 28th March last, from the Under Secretary of State at Ottawa to the Lieutenant-Governor.

GOVERNMENT HOUSE, 11th April, 1883.

EXTRACT from *Minutes of Executive Council of Prince Edward Island.*

COUNCIL CHAMBER, 31st January, 1883.

At a meeting of the Executive Council in committee.

*Present :*

The Honorable Messieurs

SULLIVAN,  
CAMPBELL,  
MACLEOD,  
ARSENAULT,

FERGUSON,  
PROWSE,  
LEFURGY.

The following Minute was adopted, and ordered to be handed to His Honor the Lieutenant-Governor, for transmission to the Dominion Government :—

The Executive Council in committee have had under consideration the failure of the Dominion Government to fulfil that condition of the terms of Confederation which stipulates that the Government of Canada shall assume "and defray all the charges for the establishment and maintenance of efficient steam service for the conveyance of mails and passengers between Prince Edward Island and the mainland of the Dominion, summer and winter, so as to place the island in continuous communication with the Intercolonial Railway and the railway system of the Dominion."

In a Joint Address of the Legislative Council and House of Assembly of this Province to His Excellency the Governor General, adopted in the Session of 1881, were set forth the enormous disadvantages under which the inhabitants of this island labor, by reason of the insufficiency of the means provided for the transport of mails and passengers during the winter season, and a request was made for the immediate adoption of vigorous measures for the removal of the grievances complained of, as well as for the allowance of compensation by reason of the non-fulfilment, in such respect, of the terms of Confederation. The receipt of this Address was duly acknowledged by the Secretary of State, in a despatch dated 16th April, 1881, and upon the notice of the Dominion Government being again directed thereto, and a reply requested, it was learned that the question was receiving their earnest consideration.

The Council in committee desire to draw the attention of the General Government to the fact that although nearly two years have elapsed since the acknowledgment of the receipt of the said Address, no attempt has been made to improve the means of communication with the mainland Provinces of the Dominion, and that the grievances complained of therein still remain.

During the first winter succeeding the Union it was not expected that much could be effected towards providing "continuous communication," but the inhabitants of the island patiently awaited the result of the experiment being made by the Dominion Government to demonstrate the practicability of the winter navigation of the Gulf of St. Lawrence. The futile attempts of the steamer "Northern Light" during the last seven years, to maintain "continuous communication" are notorious. Experience warrants the assertion that she is unfitted for the service; her trips, during the few weeks of winter in which she runs, are irregular and unsatisfactory; her carrying capacity is exceedingly limited, and her model is generally condemned.

A strong inducement for this Province to enter the Confederation was the promise of "continuous communication with the Intercolonial Railway and the railway system of the Dominion," a service that would be as thoroughly efficient and regular as the railways with which such communication was guaranteed; in short, that Prince Edward Island should have equal facilities for intercourse with the other Provinces as those Provinces enjoyed between themselves, and should participate in all the benefits arising from the Intercolonial Railway and other public works upon the mainland, from which it had formerly been debarred for a great portion of the year, and to which it contributes without receiving any corresponding advantage.

The inconvenience and loss sustained by the people of this Province in consequence of the imperfect means of winter transport are incalculable. Irregularity of the mail service, in which delays of ten consecutive days are often experienced, the consequent derangement of business, the hardships of travelling, which only the strong and robust are able to endure, the dangers attendant upon the winter routes, the total stoppage of all transport for freight or merchandise—these are some of the disadvantages attending the present mode of winter communication between this Province and the mainland.

Of continuous steam communication, summer and winter, with the mainland, Prince Edward Island received an assurance and guarantee at the time of its entry into the Confederation, in 1873. Nearly ten years have now elapsed since that event, and but one abortive attempt has been made by the General Government to carry out the solemn engagement into which they then entered. It is not the office of the Government of this Province to dictate to the Dominion Government as to the way in which they shall carry out the terms of Union in respect to "continuous communication," but the Council in committee are bound to express the opinion that only a very feeble attempt has been made to accomplish this object, and that the means of attaining this most desirable end have not been nearly exhausted.

To carry out the terms of Confederation with British Columbia the Dominion is expending an immense sum of money in the construction of the Pacific Railway; yet to provide the means of communication between two Provinces, over a distance of



scarcely nine miles, and thus fulfil an obligation equally as binding as that with British Columbia, the General Government have displayed a marked indifference.

The Council in committee feel that the Government of Canada are justly chargeable with a most serious violation of the terms of Union in this respect; they desire once more to bring the matter prominently before the notice of Your Excellency in Council, with the earnest hope that the ensuing Session of Parliament will not be allowed to pass without the adoption of effective measures for the immediate fulfilment of the terms of Confederation. They request that they may be furnished with a reply to the Address of the Council and Assembly herein referred to, as well as to this Minute, in sufficient time to submit the same to the Legislature of this Province at the approaching Session thereof. Should the Dominion Government fail to comply with the just request of this Province, its Government will be reluctantly compelled to lay the grievances complained of at the foot of the Throne, and to appeal for redress to Her Majesty the Queen as one of the parties to the Articles of Confederation.

Certified a true extract.

R. F. DE BLOIS, *Clerk Executive Council.*

MEMORANDUM.—Referring to a Minute of the Executive Council of Prince Edward Island, dated 31st January last, to the Address of the Legislative Council and House of Assembly therein mentioned, and to interviews with the Privy Council of Canada, on the subject of efficient steam communication between the island and the mainland, in accordance with the terms of Confederation, the undersigned desire to request that the Government of Prince Edward Island be placed in possession of the reply of the Dominion Government in such form as they can submit to the Provincial Legislature, which will meet on the 20th March, inst.

W. W. SULLIVAN,  
DONALD FERGUSON,  
SAMUEL PROWSE.

• OTTAWA, 3rd March, 1883.

(TELEGRAMS.)

CHARLOTTETOWN, 27th March, 1883.

*To the Secretary of State, Ottawa :*

Required immediately, to lay before the Legislature, now in session, Dominion Government's answer to joint Address of Legislature of April, 1881, relative to steam communication with mainland, and also to Minute of Council of January last upon the same subject.

T. HEATH HAVILAND, *Lieutenant-Governor.*

OTTAWA, 28th March, 1883.

*To the Lieutenant-Governor :*

Subject referred to in your message of 27th inst. under consideration.

G. POWELL, *Under Secretary of State.*

MESSAGE and Despatch respecting Fisheries.

(MESSAGE.)

T. HEATH HAVILAND, *Lieutenant-Governor.*

The Lieutenant-Governor transmits to the House of Assembly the accompanying copy of a despatch, dated 1st April, 1882, from the Secretary of State at Ottawa, conveying the answer of Her Majesty the Queen to the Minute of the Executive Council upon the subject of the claim of this Province to compensation from the Imperial Government for the use of the fisheries thereof by the citizens of the United States, from the 24th July, 1871, to the 1st July, 1873.

GOVERNMENT HOUSE, 11th April, 1883.

OTTAWA, 1st April, 1882.

SIR,—With reference to your despatch of the 3rd December last, transmitting a memorial to the Queen from the Executive Council of Prince Edward Island, praying for compensation from the Imperial exchequer for the use of the fisheries around the island by United States citizens during the two years preceding the operation of the fishery articles of the Treaty of Washington, I have the honor to acquaint you, for the information of your Government, that a despatch of the 14th inst. has been received from the Right Hon. the Secretary of State for the Colonies, by which His Lordship states that he has laid the said memorial before Her Majesty.

Lord Kimberley further states that Her Majesty's Government have given their careful consideration to the memorial; that the Government of Prince Edward Island not having, when they consented to the provisional admission of the United States fishermen to their fisheries, made any condition that special compensation should be paid to Prince Edward Island for this concession, either from Imperial or any other funds, Her Majesty's Government could not now propose to Parliament to grant a sum for this purpose.

The Secretary of State for the Colonies says, in the despatch already cited, that he has therefore been unable to advise Her Majesty to give any directions in accordance with the prayer of the memorial in question.

I have the honor to be, Sir, your obedient servant,

J. A. MOUSSEAU, *Secretary of State.*

His Honor the Lieutenant-Governor of Prince Edward Island,  
Charlottetown.

## R E T U R N

(46c)

(IN PART)

TO an ADDRESS of the HOUSE OF COMMONS, dated 15th March, 1883;—For all Correspondence, Reports, Orders in Council, and all other documents relating to any claim made by the Provincial Government of Prince Edward Island, for a refund of their expenditure upon Public Wharves and Piers, and also in connection with the maintenance of Short-term Prisoners in that Province since its admission to the Union.

By Command.

HECTOR L. LANGEVIN, *Acting Secretary of State.*

Department of the Secretary of State, 30th April, 1883.

### SYNOPSIS *Re* CLAIM OF GOVERNMENT OF PRINCE EDWARD ISLAND FOR REFUND OF EXPENDITURE UPON WHARVES AND PIERS.

March 20, 1883.—From President Privy Council.—Transmitting correspondence from Lieutenant-Governor of Prince Edward Island, in which the sum of \$124,168.04 is claimed from the Dominion Government for construction and maintenance of piers, &c., in that Province, from 1st July, 1873, to 31st December, 1882.

do 5.—To Report to Council.—Submitting answer to be sent to Prince Edward Island Government, in reference to their claim for harbor improvements.

do 5.—From Privy Council.—Authorizing that the three members of the Prince Edward Island Government delegated to proceed to Ottawa in connection with claim of above Government, be informed that said claim will be investigated, examination of piers enumerated will be made, &c., in order to ascertain whether they must be maintained by Dominion Government.



March 24—From Chief Engineer Public Works.—Memorandum respecting claim of the Government of Prince Edward Island, encloses list of harbors in which expenditures have been made.

DEPARTMENT OF THE SECRETARY OF STATE, CANADA.

Name.—Lieutenant-Governor, Prince Edward Island.

Address.—Charlottetown.

Date.—10-19 February, 1883.

SUBJECT.

Communication between the island and the mainland, and refund of expenditure on maintenance of piers, &c.

*Contents.*

1120 to 1127.

Referred to a sub-committee of Ministers of Public Works, Railways and Canals, Marine and Fisheries, to report thereon.  
20th February, 1883.

*Action.*

19th February, acknowledged and referred to the Honorable the Privy Council.  
By Command,  
HECTOR L. LANGEVIN,  
*Acting Secretary of State.*

GOVERNMENT HOUSE,

1120.

PRINCE EDWARD ISLAND, 10th February, 1883.

SIR,—I have the honor to transmit herewith a Minute of my Council upon the question of communication between this island and the mainland, stipulated for in the terms of the Union in 1873.

Also a Minute of my Council claiming a refund of the amount expended by the Government of the Province for the construction and maintenance of piers in the public harbors and navigable rivers of the Province, from the 1st of July, 1873, to the 31st of December, 1882, as shown in the tabular statement or schedule annexed to the said Minute of Council.

I have also enclosed herewith an approved Minute of my Council, bearing date the 31st of January last, recommending that the Hon. W. W. Sullivan, Attorney-General, the Hon. Donald Ferguson, Provincial Secretary, and the Hon. Samuel Prowse, be deputed to proceed forthwith to Ottawa to confer with the Dominion Government respecting the question of communication between this island and the mainland, stipulated for in the terms of Union; and also to represent to them that, under the British North America Act, it is the duty of the Government of Canada to provide for the construction and maintenance of all piers in the public harbors and navigable rivers of the Province, as well as to request a refund of the amount expended by the Government of this Province on such service, from the 1st July, 1873, to the 31st December, 1882.

I have the honor to be, Sir, your obedient servant,

T. W. MAITLAND, *Lieutenant-Governor.*

Hon. Secretary of State.

1121.—EXTRACT from *Minutes of the Executive Council of Prince Edward Island.*

COUNCIL CHAMBER, 31st January, 1883.

Referring to the Minutes of Council this day adopted, the Council in committee recommend that the Hon. W. W. Sullivan, Attorney-General, the Hon. Donald Ferguson, Provincial Secretary, and the Hon. Samuel Prowse, be deputed to proceed forthwith to Ottawa to confer with the Dominion Government respecting the question of communication between this island and the mainland, stipulated for in the terms of Union, and also to represent to them that, under the British North America Act, it is the duty of the Government of Canada to provide for the construction and maintenance of all piers in the public harbors and navigable rivers of the Province, as

well as to request a refund of the amount expended by the Government of this Province on such service, from 1st July, 1873, to 31st December, 1882.

Approved by His Honor the Lieutenant-Governor.

Certified a true extract.

R. F. DEBLOIS, *Clerk Executive Council.*

1122.—EXTRACT from *Minutes of the Executive Council of Prince Edward Island.*

COUNCIL CHAMBER, 31st January, 1883.

At a meeting of the Executive Council in committee :

*Present :*

The Hon. Messrs. Sullivan, Campbell, McLeod, Ferguson, Prowse, Lefurgey, Arsenault.

1123.—The Executive Council in committee have had under consideration the failure of the Dominion Government to fulfil that condition of the terms of Confederation which stipulates that the Government of Canada shall "assume and defray all the charges for the establishment and maintenance of efficient steam service for the conveyance of mails and passengers between Prince Edward Island and the mainland of the Dominion, winter and summer, so as to place the island in continuous communication with the Intercolonial Railway, and the railway system of the Dominion."

In a Joint Address of the Legislative Council and the House of Assembly of this Province to His Excellency the Governor General, adopted in the Session of 1881, were set forth the enormous disadvantages under which the inhabitants of this island labor, by reason of the insufficiency of the means provided for the transport of mails and passengers during the winter season, and a request was made for the immediate adoption of vigorous measures for the removal of the grievances complained of, as well as for the allowance of compensation, by reason of the non-fulfilment in such respect of the terms of Confederation. The receipt of this Address was duly acknowledged by the Secretary of State in a despatch dated 16th April, 1881, and upon the notice of the Dominion Government being again directed thereto, and a reply requested, it was learned that the question was receiving their earnest consideration.

The Council in committee desire to draw the attention of the General Government to the fact that, although nearly two years have elapsed since the acknowledgment of the receipt of the said Address, no attempt has been made to improve the means of communication with the mainland Provinces of the Dominion, and that the grievances complained of therein still remain.

During the first winter succeeding the Union it was not expected that much could be effected towards providing "continuous communication," but the inhabitants of the island patiently awaited the result of the experiment being made by the Dominion Government to demonstrate the practicability of the winter navigation of the Gulf of St. Lawrence. The futile attempts of the steamer "Northern Light" during the last seven years, to maintain "continuous communication," are notorious. Experience warrants the assertion that she is unfitted for the service; her trips, during the few weeks of winter in which she runs, are irregular and unsatisfactory; her carrying capacity is exceedingly limited, and her model is generally condemned.

A strong inducement for this Province to enter the Confederation was the promise of "continuous communication with the Intercolonial Railway and the railway system of the Dominion," a service that would be as thoroughly efficient and regular as the railways with which such communication was guaranteed; in short, that Prince Edward Island should have equal facilities for intercourse with the other Provinces as those Provinces enjoy between themselves, and should participate in all the benefits arising from the Intercolonial Railway and other public works upon the mainland, from which it had formerly been debarred for a great portion of the year, and to which it contributes, without receiving any corresponding advantage.



The inconvenience and loss sustained by the people of this Province, in consequence of the imperfect means of winter transport, are incalculable. Irregularity of the mail service, in which delays of ten consecutive days are often experienced; the consequent derangement of business; the hardships of travelling, which only the strong and robust are able to endure; the dangers attendant upon the winter routes; the total stoppage of all transport for freight or merchandise; these are some of the disadvantages attending the present mode of winter communication between this Province and the mainland.

Of continuous steam communication, summer and winter, with the mainland, Prince Edward Island received an assurance and guarantee at the time of its entry into the Confederation, in 1873. Nearly ten years have now elapsed since that event, and but one abortive attempt has been made by the General Government to carry out the solemn engagement into which they then entered. It is not the office of the Government of this Province to dictate to the Dominion Government as to the way in which they shall carry out the terms of union in respect to "continuous communication," but the Council in committee are bound to express the opinion that only a very feeble attempt has been made to accomplish this object, and that the means of attaining this most desirable end have not been nearly exhausted.

To carry out the terms of Confederation with British Columbia the Dominion is expending an immense sum of money in the construction of the Pacific Railway, yet to provide the means of communication between two Provinces, over a distance of scarcely nine miles, and thus fulfil an obligation equally as binding as that with British Columbia, the General Government have displayed a marked indifference.

The Council in committee feel that the Government of Canada are justly chargeable with a most serious violation of the terms of Union in this respect; they desire once more to bring the matter prominently before the notice of Your Excellency in Council, with the earnest hope that the ensuing Session of Parliament will not be allowed to pass without the adoption of effective measures for the immediate fulfilment of the terms of Confederation; they request that they may be furnished with a reply to the Address of the Council and Assembly herein referred to, as well as to this Minute, in sufficient time to submit the same to the Legislature of this Province, at the approaching Session thereof. Should the Dominion Government fail to comply with the just request of this Province, its Government will be reluctantly compelled to lay the grievances complained of at the foot of the Throne, and to appeal for redress to Her Majesty the Queen, as one of the parties to the Articles of Confederation.

Certified a true extract.

R. F. DEBLOIS, *Clerk Executive Council.*

1124.—EXTRACT from *Minutes of the Executive Council of Prince Edward Island.*

COUNCIL CHAMBER, 31st January, 1883.

At a meeting of the Executive Council in committee:

*Present :*

The Hon. Messieurs. Sullivan, Campbell, McLeod, Ferguson, Prowse, Lefurgey and Arsenault.

1125.—Upon reference to the British North America Act, 1-67, the Executive Council in committee observe that by the 108th section the public works and property of each Province enumerated in the third schedule of the said Act, upon its admission into the Union, became the property of Canada;

That the works and property therein mentioned embrace public harbors, light-houses, piers, steamboats, dredges, public vessels and rivers, and lake improvements;

That upon the 1st July, 1873, when the Province of Prince Edward Island was admitted into the Confederation of the Dominion of Canada, its several harbors, lighthouses and rivers passed under the control of the General Government, and their maintenance and improvements became charges upon the general revenue;

That notwithstanding the provisions so plainly set forth in the British North America Act, the duty of maintaining the piers, situated in the harbors of the Province, was permitted to devolve upon the Provincial Government;

The Council in committee are of opinion that, by the provisions of the British North America Act, the General Government are justly chargeable with the construction and maintenance of the piers referred to, for the following reasons:—

(1.) The transference, by the authority of the British North America Act, of all provincial public works and property in public harbors, lighthouses, piers, steamboats, dredges, public vessels, rivers and lake improvements, to the ownership of the General Government.

(2.) Because these structures are intimately connected with and essential to trade and commerce, shipping and navigation, and should, therefore, with these subjects, be directly under the control of the Dominion Parliament.

(3.) Because the construction and maintenance of these piers may properly be regarded as improvements of the harbors in which they are situate.

(4.) Because, in other Provinces of the Dominion, the General Government exercise control and authority over structures of a similar kind, and provide for their erection and maintenance, and receive revenues therefrom by way of rents, tolls and wharfrage.

(5.) Because these structures are built and situated upon soil, the fee whereof is in the Dominion Government, in which the Provincial Government have no property, and over which they can exercise no authority.

In support of these reasons, the Council in committee desire to call attention to a judgment of the Supreme Court of Canada, in the case of Robert T. Holman, *et al.* vs. Charles Green, which was an appeal from the Supreme Court of Judicature of Prince Edward Island, and in which the plaintiffs claimed title to the land in dispute under letters patent from the Government of Prince Edward Island, issued in August, 1877. In this case it was held that the property in public harbors being vested in the Dominion, the soil ungranted at the time of Confederation, between high and low water marks, and being "within the limit of public harbors, by the express, unqualified words of the British North America Act, became vested in the Dominion as part and parcel of the harbors which belonged as property to the Provinces," and further, that it was but consistent with the other provisions in the said Act, "that the property in public harbors, so intimately connected with and essential to trade and commerce, and shipping and navigation, lighthouses and piers, should likewise be vested in the Dominion, for their more efficient management, control and regulation, a matter in which not only the whole Dominion, but foreign shipping are likewise interested, and which could hardly be effectually managed and regulated if there were to be a divided control." The court also decided that upon the admission of Prince Edward Island into the Confederation its Executive Government and Legislature ceased to have any property in or executive or legislative power over the ungranted lands between high and low water marks in such public harbors as that in question, and that such lands are, "by the provisions of the British North America Act, vested in Her Majesty for the public purposes of the Dominion, and are under the exclusive control of the Dominion Parliament."

The Government of this Province have expended in the construction and maintenance of these piers, from the 1st of July, 1873 (the date of Confederation), to the 31st December, 1882, the sum of one hundred and thirty-nine thousand nine hundred and twenty-six dollars and forty-two cents (\$139,926.42), as will more fully appear by the Schedule hereto annexed, marked "A."

Regarding the construction of these piers, the Council in committee would remark that the Government, after being fully satisfied of their absolute necessity, caused proper surveys to be made by competent persons; that the contracts were let by public competition, at the least possible costs, under the immediate supervision of officers appointed by them for that purpose.

As rents and wharfrage therefrom during the same period, the Government of the Province have received the sum of fifteen thousand seven hundred and fifty-



eight dollars and thirty-eight cents (\$15,758.38), as will more fully appear by the schedules hereto annexed, marked "B" and "C," which sum, deducted from the outlay above mentioned, leaves a balance due to Prince Edward Island from the Government of Canada of one hundred and twenty-four thousand one hundred and sixty-eight dollars and four cents (\$124,168.04).

The Council in committee recommend that application be made to the Dominion Government for a refund of the amount so expended as aforesaid, deducting therefrom the amount received for rents and wharfage, as above stated, and that they be notified that the Government of this Province will no longer contribute to the construction or maintenance of such piers.

Certified a true extract.

R. F. DEBLOIS, *Clerk Executive Council.*

### 1126.—SCHEDULE A.

MEMORANDUM showing Amount expended by Provincial Government of Prince Edward Island on Piers and Breakwaters, from 1st July, 1873, to 31st December, 1882, inclusive.

	<i>Port of Charlottetown.</i>	\$ cts.	\$ cts.	\$ cts.
1873	Shaw's Point Pier .....	670 52		
1875	do .....	25 00		
1876	do .....	27 00		
1877	do .....	1 00		
1879	do .....	5 60		
1881	do .....	4 25		
			733 37	
1873	Hickey's Point Pier.....	224 00		
1874	do .....	27 00		
1875	do .....	31 00		
1876	do .....	60 92		
1877	do .....	24 10		
1878	do .....	72 00		
1879	do .....	50 00		
1880	do .....	44 00		
1881	do .....	685 45		
1882	do .....	15 00		
			1,233 47	
1873	Red Point Pier.....	589 50		
1874	do .....	102 09		
1875	do .....	44 00		
1876	do .....	20 00		
1877	do .....	508 27		
1878	do .....	16 50		
1879	do .....	28 00		
1880	do .....	60 00		
1881	do .....	8 00		
1882	do .....	104 50		
			1,480 77	
1873	Appletree Pier.....	215 00		
1875	do .....	50 00		
1877	do .....	198 33		
1878	do .....	463 67		
1879	do .....	4 00		
1880	do .....	23 25		
1882	do .....	11 00		
			965 25	
1873	Cranberry Pier.....	30 00		
1874	do .....	10 00		
1875	do .....	62 00		
1876	do .....	52 00		
1878	do .....	328 76		
1879	do .....	72 00		
1882	do .....	11 00		
			565 76	
1873	McCannell's Pier.....	90 00		
1874	do .....	25 00		
1875	do .....	30 00		
1876	do .....	15 00		

## SCHEDULE A—Continued.

MEMORANDUM showing Amount expended by Provincial Government, &amp;c.—Continued.

Port of Charlottetown—Concluded.		\$	cts.	\$	cts.	\$	cts.
1877	McCannell's Pier.....		14 50				
1878	do .....		36 00				
1880	do .....		10 00				
1881	do .....		5 00				
1882	do .....		46 00		271 50		
1874	Haggarty's Pier.....		101 00				
1875	do .....		232 66				
1876	do .....		487 34				
1877	do .....		759 00				
1878	do .....		19 70				
1879	do .....		66 00				
1882	do .....		31 00		1,696 70		
1873	Hayden's Pier.....		4 00				
1874	do .....		40 00				
1877	do .....		118 00				
1879	do .....		30 00				
1880	do .....		1 62				
1881	do .....		2 00				
1882	do .....		12 00		207 62		
1877	Gillis' Pier.....		524 00				
1878	do .....		13 45				
1879	do .....		23 25				
1882	do .....		6 50		567 20		
1873	Rocky Point Pier.....		193 00				
1876	do .....		20 00				
1877	do .....		1,513 57				
1878	do .....		425 14				
1879	do .....		108 50				
1880	do .....		7 00				
1881	do .....		30 00				
1882	do .....		1,863 80		4,166 01		
1873	McPhee's Point Pier.....		101 00				
1876	do .....		5 00				
1877	do .....		53 00				
1878	do .....		2 50				
1879	do .....		7 00				
1880	do .....		1,449 00				
1881	do .....		834 50		2,452 00		
1873	Southport Pier.....		450 65				
1874	do .....		500 77				
1875	do .....		4,602 61				
1876	do .....		620 70				
1877	do .....		801 12				
1878	do .....		476 25				
1879	do .....		1,825 88				
1880	do .....		526 87				
1881	do .....		105 74				
1882	do .....		519 33		10,129 92		
1873	McEwin's Point Pier.....		358 00				
1874	do .....		49 00				
1879	do .....		40 00				
1881	do .....		10 50				
1882	do .....		17 75		475 25		
1875	McEachrin's Pier.....		420 00				
1876	do .....		35 00				
1879	do .....		50 00				
1880	do .....		4 50				
1882	do .....		8 00		517 50		
							25,762 32



## SCHEDULE A—Continued.

MEMORANDUM showing Amount expended by Provincial Government, &amp;c.—Continued.

<i>Port of Crapaud.</i>		\$ cts.	\$ cts.	\$ cts.
1873	Victoria Pier.....	298 70		
1874	do .....	13 32		
1876	do .....	2,268 20		
1877	do .....	220 00		
1878	do .....	50 00		
1879	do .....	3 00		
1880	do .....	54 00		
1881	do .....	69 50		
1882	do .....	947 00		
			3,923 72	
1874	Nine Mile Creek Pier.....	380 00		
1875	do .....	10 00		
1881	do .....	23 00		
1882	do .....	69 00		
			482 00	
1881	De Sable Pier.....	489 00		
1882	do .....	170 00		
			659 00	
1873	Cape Traverse Pier.....	801 25		
1874	do .....	2,811 13		
1875	do .....	2,512 21		
1877	do .....	30 00		
1878	do .....	3,044 00		
1879	do .....	25 00		
			9,223 59	
1875	Tryon Pier.....	49 00		
1882	do .....	3 25		
			52 25	
<i>Port of Pownall.</i>				14,340 56
1873	Pownall Pier.....	755 52		
1874	do .....	315 25		
1875	do .....	945 20		
1876	do .....	45 00		
1877	do .....	10 00		
1878	do .....	764 90		
1879	do .....	178 00		
1880	do .....	221 00		
1881	do .....	18 93		
1882	do .....	176 13		
			3,429 92	
1873	Alexandria Pier.....	158 00		
1874	do .....	5 00		
1875	do .....	25 00		
1876	do .....	16 10		
1877	do .....	563 00		
1878	do .....	14 00		
1879	do .....	46 00		
1881	do .....	20 00		
			847 10	
<i>Port of Orwell.</i>				4,277 02
1873	Port Selkirk Pier.....	612 48		
1874	do .....	1,072 84		
1875	do .....	10 00		
1876	do .....	118 31		
1877	do .....	189 17		
1878	do .....	121 75		
1879	do .....	729 60		
1881	do .....	64 50		
1882	do .....	29 10		
			2,947 75	
1873	Belfast Pier.....	996 67		
1874	do .....	128 77		
1876	do .....	91 98		
1877	do .....	3,073 62		
1878	do .....	18 50		

## SCHEDULE A—Continued.

MEMORANDUM showing Amount expended by Provincial Government, &amp;c.—Continued.

<i>Port of Orwell—Concluded.</i>		\$	cts.	\$	cts.	\$	cts.
1879	Belfast Pier .....	5	50				
1880	do .....	3	50				
1882	do .....	36	50				
				4,355	04		
1873	China Point Pier .....	56	50				
1874	do .....	364	23				
1875	do .....	1,116	71				
1876	do .....	142	00				
1877	do .....	47	92				
1878	do .....	32	98				
1879	do .....	729	00				
1880	do .....	7	00				
1881	do .....	10	00				
1882	do .....	879	06				
				3,385	40		
1876	Vernon River Pier .....	780	00				
1881	do .....	128	66				
				908	66		
<i>Port of Rustico.</i>						11,596	85
1875	North Rustico Pier .....	100	00				
1876	do .....	2	25				
				102	25		
1873	Rustico Pier .....	24	00				
1874	do .....	7	00				
1876	do .....	624	80				
1882	do .....	2	00				
				657	80		
<i>Port of New London.</i>						760	05
1873	Long River Pier .....	98	00				
1875	do .....	25	00				
1876	do .....	237	00				
1882	do .....	40	00				
				400	00		
1874	Bayview Pier .....	30	00				
1875	do .....	880	00				
1876	do .....	6	00				
1877	do .....	9	50				
1878	do .....	5	00				
1879	do .....	15	00				
1880	do .....	377	16				
1881	do .....	256	34				
1882	do .....	20	00				
				1,599	00		
1875	Ross' New London Pier .....			32	00		
1877	Olifton Pier .....	188	00				
1880	do .....	15	50				
1881	do .....	4	50				
				208	00		
<i>Port of Pinette.</i>						2,239	00
1873	Pinette Pier .....	250	00				
1877	do .....	1,535	00				
1878	do .....	29	00				
				1,814	00		
1876	McAulay's Pier .....	12	50				
1879	do .....	40	00				
1881	do .....	28	00				
1882	do .....	97	00				
				177	50		
<i>Port of Summerside, or Bedeque.</i>						1,991	50
1873	Summerside Pier .....	1,431	54				
1875	do .....	274	68				
1876	do .....	3,072	95				
				4,779	17		



## SCHEDULE A—Continued.

MEMORANDUM showing Amount expended by Provincial Government, &amp;c.—Continued.

<i>Port of Summerside or Bedeque—Concluded.</i>		\$	cts.	\$	cts.	\$	cts.
1873	Hurd's Point Pier.....	115	00				
1874	do .....	1,140	50				
1876	do .....	52	00				
1879	do .....	10	00				
1880	do .....	621	12				
1881	do .....	50	00				
1882	do .....	12	00				
					2,000	62	
1876	Higgin's Shore Pier.....	2,500	00				
1879	do .....	29	15				
1880	do .....	6	40				
1881	do .....	7	50				
					2,543	05	
1877	Egmont Bay Pier.....				280	00	
1876	MacGee's Pier.....	2,330	00				
1879	do .....	111	25				
					2,441	25	
1879	Strang's Pier.....	2	00				
1882	do .....	38	35				
					40	35	
	<i>Port of West Point.</i>						12,084 44
1877	West Point Pier.....	2,625	00				
1878	do .....	567	50				
1879	do .....	483	90				
1881	do .....	550	00				
					4,226	40	4,226 40
	<i>Port of Malpeque.</i>						
1873	Princetown Pier.....	50	00				
1874	do .....	20	00				
1875	do .....	25	00				
1876	do .....	1,435	00				
1877	do .....	90	00				
1879	do .....	6	00				
					1,626	00	
1873	Beach Point Pier.....	50	00				
1874	do .....	180	00				
1875	do .....	865	18				
1876	do .....	20	00				
1879	do .....	2	00				
					1,117	18	
1872	Keir's Shore Pier.....	66	00				
1874	do .....	152	00				
1876	do .....	550	00				
1877	do .....	1,140	00				
1878	do .....	10	00				
1879	do .....	2,569	00				
1880	do .....	30	00				
1881	do .....	14	50				
1882	do .....	234	00				
					4,765	50	
	<i>Port of Cascumpec.</i>						7,508 68
1873	Cascumpec Pier.....	134	00				
1874	do .....	70	00				
1876	do .....	115	00				
1879	do .....	513	48				
1880	do .....	96	58				
1881	do .....	63	28				
					992	34	
	<i>Port of Port Hill.</i>						992 34
1873	Bideford Pier.....	125	00				
1875	do .....	44	00				
1879	do .....	72	00				
1881	do .....	970	10				
					1,211	10	

## SCHEDULE A—Continued.

MORANDUM showing Amount expended by Provincial Government, &c.—Continued.

	<i>Port of Port Hill—Concluded.</i>	\$ cts.	\$ cts.	\$ cts.
80	Grand River Pier .....	1,644 00		
81	do .....	1,163 36		
82	do .....	1,811 24	4,618 60	
	<i>Port of Georgetown.</i>			5,829 70
73	Sturgeon Pier .....	40 00		
74	do .....	13 00		
76	do .....	30 00		
78	do .....	291 50		
79	do .....	25 52		
80	do .....	9 40		
81	do .....	3 00	412 42	
73	Georgetown Pier .....	1,000 00		
74	do .....	5,240 00		
76	do .....	844 13		
77	do .....	134 36		
79	do .....	1,593 25		
81	do .....	30 00		
82	do .....	16 00	8,857 74	
73	Queen's Pier .....	85 70		
74	do .....	43 10		
75	do .....	93 30		
76	do .....	150 03		
77	do .....	80 70		
78	do .....	159 00		
79	do .....	1,307 10		
80	do .....	21 50		
82	do .....	297 31	2,237 74	
873	Aitkens' Shore Pier .....	50 00		
874	do .....	3,849 00		
875	do .....	594 25		
876	do .....	258 00		
879	do .....	239 36		
880	do .....	54 50		
881	do .....	15 50		
882	do .....	104 10	5,164 71	
873	St. Mary's Bay Pier .....	156 67		
874	do .....	313 33		
875	do .....	799 84		
879	do .....	29 00		
881	do .....	4 75		
882	do .....	30 00	1,333 59	
873	Brudenell, 2 piers .....	183 00		
875	do .....	320 00		
876	do .....	8 00		
878	do .....	51 50		
879	do .....	142 77		
880	do .....	12 60		
881	do .....	225 00		
882	do .....	612 80	1,555 67	
876	Peters' Shore Pier .....		112 37	
877	Launching Pier .....	17 00		
878	do .....	10 00		
879	do .....	60 50	87 50	
	<i>Port of Murray Harbor.</i>			19,761 74
1873	Beach Pier .....		*216 50	

\* Does not exist. Removed.



## SCHEDULE A—Continued.

MEMORANDUM showing Amount expended by Provincial Government, &amp;c.—Continued

<i>Port of Murray Harbor—Concluded.</i>		\$	cts.	\$	cts.	\$
1873	Greek River Pier.....	240	00			
1876	do .....	30	00			
1879	do .....	26	00			
1881	do .....	6	00			
				302	00	
1873	Burnt Point Pier.....	33	00			
1875	do .....	41	00			
1876	do .....	2	00			
				76	00	
1873	Basin or Mink River Pier.....	20	00			
1876	do .....	6	00			
1880	do .....	247	00			
				273	00	
1874	Machon's Point Pier.....	1,435	79			
1876	do .....	26	00			
1879	do .....	70	00			
1880	do .....	104	00			
1881	do .....	183	00			
1882	do .....	15	00			
				1,833	79	
1874	South River Pier.....	113	33			
1875	do .....	588	00			
1878	do .....	226	67			
1879	do .....	50	00			
1882	do .....	43	50			
				1,021	50	
1879	Basin Pier.....	18	00			
1882	do .....	2	00			
				20	25	
1876	Murray River Pier.....	25	00			
1878	do .....	10	00			
1879	do .....	30	00			
1880	do .....	4	00			
1881	do .....	25	00			
1882	do .....	11	50			
				105	50	
	<i>Port of Grand River.</i>					3,848
1873	Poplar Point Pier.....	10	00			
1879	do .....	36	00			
1880	do .....	37	00			
1882	do .....	45	00			
				128	00	
1873	Bay Fortune Pier, north side.....	40	00			
1876	do do .....	295	00			
1879	do do .....	65	00			
				400	00	
1874	do south side.....	10	00			
1879	do do .....	75	00			
1880	do do .....	12	30			
1882	do do .....	28	00			
				125	30	
1874	Bridgetown Pier.....	189	57			
1876	do .....	381	67			
1877	do .....	4	00			
1880	do .....	6	75			
1882	do .....	131	50			
				713	49	
1874	Annandale Pier .....	2,200	00			
1879	do .....	100	00			
1880	do .....	4	00			
1881	do .....	149	25			
1882	do .....	21	00			
				2,474	25	
1874	Chapel Pier .....	1,120	00			
1877	do .....	887	00			
1879	do .....	43	25			

## SCHEDULE A—Continued.

RANDUM showing Amount expended by Provincial Government, &amp;c.—Continued.

<i>Port of Grand River—Concluded.</i>		\$ cts.	\$ cts.	\$ cts.
Chapel Pier.....	151 50			
do .....	76 13			
do .....	3 50			
			2,281 38	
Morrison's Beach Pier.....	128 75			
do .....	35 50			
			164 25	
				6,286 67
<i>Port of Montague.</i>				
Montague Pier.....	155 34			
do .....	48 50			
do .....	35 75			
do .....	50 00			
do .....	1,143 75			
do .....	11 75			
do .....	6 50			
			1,451 59	
Stephen's Pier.....	875 00			
do .....	25 00			
do .....	29 00			
do .....	3 00			
do .....	292 00			
			1,224 00	
Lambert's Pier.....	303 00			
do .....	116 00			
do .....	8 00			
do .....	59 95			
			486 95	
				3,162 54
<i>Port of Souris.</i>				
Souris Pier.....	5 25			
do .....	5 25			
			10 50	
Rollo Bay Pier.....	12 00			
do .....	55 00			
			67 00	
				77 50
<i>Port of Cardigan.</i>				
Cardigan, 2 piers.....	33 00			
do .....	34 00			
do .....	4 00			
do .....	1,064 00			
do .....	145 00			
do .....	50 00			
do .....	1,290 70			
do .....	32 00			
do .....	22 00			
do .....	50 00			
			2,724 70	
Lewis' Point Pier.....			2,250 00	
				4,974 70
<i>Port of St. Peter's.</i>				
St. Peter's Bay, 2 piers.....	50 00			
do .....	702 00			
do .....	143 86			
do .....	92 72			
do .....	635 00			
			1,623 58	
Dingwell's Shore Pier.....	1,449 00			
do .....	4 00			
do .....	38 00			
do .....	25 00			
			1,516 00	
McCallum's Pier.....			78 00	
				3,217 58



SCHEDULE A—*Concluded.*MEMORANDUM showing Amount expended by Provincial Government, &c.—*Concluded.*

BREAKWATERS.		\$ cts.	\$ cts.	\$ cts.
1876	Wood Islands .....			
1877				
1878		4,214	22	
1879				
1880	Belle Creek.....	845	45	
1881				
1878	Little Sands .....	1,683	80	
1880				
1873	Tignish.....	135	26	
1873	Campbell's Cove.....	100	00	
				6,988 72
				139,926 42

I certify that the above is a true copy from the ledgers in this Department.

JOHN WM. MORRISON, *Secretary Public Works.*

DEPARTMENT OF PUBLIC WORKS, 9th February, 1883.

## 1127.—SCHEDULE B.

STATEMENT showing Tolls and Dues collected at the undermentioned Piers, in Prince Edward Island, from 1st day of April, 1873, to the 30th day of December 1882.

Year.	Name of Outport and Pier.	Amount received each Year.	Amount from each Pier.	Amount from each Outport.
<i>Port of Charlottetown.</i>		\$ cts.	\$ cts.	\$ cts.
1873	Cranberry Point Pier.....	6 00		
1874	do .....	6 00		
1875	do .....	6 00		
1879	do .....	8 50		
1881	do .....	4 50		
			31 00	
1874	Hickey's Pier.....	52 26		
1876	do .....	40 00		
1879	do .....	31 70		
1880	do .....	25 00		
1881	do .....	20 00		
1882	do .....	22 00		
			190 96	
1881	Hagarty's Pier.....	2 50		
1882	do .....	10 00		
			12 50	
1873	McCannell's Pier .....	7 00		
1874	do .....	5 00		
1875	do .....	7 00		
1876	do .....	10 00		
1877	do .....	10 00		
1878	do .....	12 50		
1879	do .....	6 00		
1880	do .....	6 00		
			63 50	

## SCHEDULE B—Continued.

EMENT showing Tolls and Dues collected at the undermentioned Piers in Prince Edward Island, &c.—Continued.

yr.	Name of Outport and Pier.	Amount received each Year.	Amount from each Pier.	Amount from each Outport.
	<i>Port of Charlottetown—Concluded.</i>	\$ cts.	\$ cts	\$ cts.
75	Red Point Pier .....	15 00		
78	do .....	18 25		
79	do .....	21 25		
80	do .....	25 50		
			80 00	
73	Appletree Pier .....	8 00		
75	do .....	7 00		
79	do .....	8 00		
80	do .....	8 00		
81	do .....	5 15		
82	do .....	6 00		
			42 15	
80	Hayden's Pier .....	1 66		
81	do .....	2 53		
			4 19	
81	Gillis' Shore Pier .....		2 75	
76	Southport Pier .....	38 00		
77	do .....	42 60		
			80 60	
73	Rocky Point Pier .....	1 71		
74	do .....	13 15		
75	do .....	20 00		
77	do .....	25 00		
78	do .....	20 00		
79	do .....	17 40		
80	do .....	10 00		
			107 26	
75	McEwen's and McEachern's Pier .....	8 00		
76	do .....	14 00		
77	do .....	30 00		
78	do .....	24 00		
80	do .....	9 00		
82	do .....	7 00		
			92 00	
			15 40	
79	McPhee's Pier .....	8 48		
74	Shaw's Point Pier .....	7 53		
75	do .....	18 18		
77	do .....	16 17		
78	do .....	9 74		
79	do .....	8 89		
80	do .....		68 99	
				791 30
	<i>Port of Crapaud.</i>			
874	Victoria Pier .....	62 00		
875	do .....	52 00		
877	do .....	120 00		
878	do .....	105 00		
879	do .....	130 00		
880	do .....	200 85		
881	do .....	100 00		
			769 85	
876	Cape Traverse Pier .....		12 00	
881	Nine Mile Creek Pier .....		12 47	
				794 32



## SCHEDULE B—Continued.

STATEMENT showing Tolls and Dues collected at the undermentioned Piers in Prince Edward Island, &c.—Continued.

Year.	Name of Outport and Pier.	Amount received each Year.	Amount from each Pier.	Amount from each Outport.
	<i>Port of Pownall.</i>	\$ cts.	\$ cts.	\$ cts.
1873	Pownall Bay Pier.....	29 00		
1874	do .....	23 25		
1876	do .....	72 00		
1877	do .....	45 00		
1878	do .....	46 00		
1879	do .....	25 00		
1880	do .....	45 00		
1881	do .....	46 00		
1882	do .....	46 00		
	<i>Port of Orwell.</i>			377 25
1873	China Point Pier.....	6 00		
1874	do .....	8 00		
1875	do .....	8 00		
1876	do .....	6 00		
1877	do .....	12 00		
1878	do .....	14 00		
1879	do .....	10 00		
1880	do .....	15 00		
1881	do .....	25 00		
			104 00	
1873	Port Selkirk Pier.....	63 00		
1874	do .....	110 00		
1875	do .....	55 54		
1876	do .....	27 00		
1877	do .....	76 00		
1878	do .....	126 00		
1879	do .....	129 00		
1880	do .....	50 00		
1881	do .....	130 00		
1882	do .....	60 00		
			826 54	
1874	Halliday's Pier.....	10 00		
1875	do .....	10 00		
1876	do .....	40 80		
1877	do .....	29 33		
			91 13	
	<i>Port of Pinette.</i>			1,021 67
1875	McAulay's Pier.....	1 63		
1876	do .....	11 00		
1877	do .....	1 04		
				13 67
	<i>Port of New London.</i>			
1877	Bayview Pier.....	63 00		
1878	do .....	40 00		
1879	do .....	40 00		
1880	do .....	20 00		
1881	do .....	35 00		
			198 00	
1874	Clifton Pier.....	14 00		
1875	do .....	18 00		
1876	do .....	10 00		
1877	do .....	8 00		
1878	do .....	8 00		
1879	do .....	12 50		

## SCHEDULE B—Continued.

STATEMENT showing Tolls and Dues collected at the undermentioned Piers in Prince Edward Island, &c.—Continued.

Year.	Name of Outport and Pier.	Amount received each Year.	Amount from each Pier.	Amount from each Outport.
	<i>Port of New London—Concluded.</i>	\$ cts.	\$ cts.	\$ cts.
1881	Clifton Pier.....	10 00		
1882	do .....	14 00		
1882	Long River Pier.....		94 50 2 00	294 50
	<i>Port of Summerside.</i>			
1873	Queen's Pier, Summerside.....	1,066 47		
1874	do .....	1,005 00		
1875	do .....	945 77	3,017 24	
1873	Hurd's Point Pier.....	36 00		
1874	do .....	42 60		
1875	do .....	49 00		
1876	do .....	17 00		
1877	do .....	48 00		
1878	do .....	52 00		
1879	do .....	54 00		
1880	do .....	40 00		
1881	do .....	54 00		
1882	do .....	54 50	447 10 7 12 18 19	
1881	Higgin's Shore.....			
1880	Egmont Bay Pier.....			
1880	MacGee's Pier.....	2 27		
1881	do .....	23 80	26 07	3,515 74
	<i>Port of Cascumpec.</i>			
1874	Cascumpec Pier.....	130 00		
1877	do .....	201 00		
1878	do .....	160 00		
1879	do .....	120 00		
1880	do .....	100 00		
1881	do .....	100 00		
1882	do .....	70 00	881 00	881 00
	<i>Port of Malpeque.</i>			
1881	Kier's Shore Pier.....	52 81		
1882	do .....	30 00	82 81 2 34	85 15
1882	Princetown Pier.....			
	<i>Port of Port Hill.</i>			
1875	Bideford Pier.....	15 00		
1878	do .....	21 00		
1881	do .....	21 00		
1882	do .....	25 00	82 00	82 00
	<i>Port of West Point.</i>			
1880	West Point Pier.....		20 20	20 20
	<i>Port of Georgetown.</i>			
1874	Queen's Pier, Georgetown.....	324 09		
1875	do .....	204 28		



SCHEDULE B—*Continued.*

STATEMENT showing Tolls and Dues collected at the undermentioned Piers in Prince Edward Island, &c.—*Continued.*

Year.	Name of Outport and Pier.	Amount received each Year.	Amount from each Pier.	Amount from each Outport.
	<i>Port of Georgetown—Concluded.</i>	\$ cts.	\$ cts.	\$ cts.
1876	Queen's Pier, Georgetown.....	137 25		
1877	do .....	145 00		
1878	do .....	151 00		
1879	do .....	121 50		
1880	do .....	74 20		
1881	do .....	80 55		
1882	do .....	80 55		
			1,318 42	
1875	Brudenell North Pier.....	6 00		
1876	do .....	12 00		
1880	do .....	10 00		
1881	do .....	25 00		
1882	do .....	7 00		
			60 70	
1873	Aitken's Shore Pier.....	6 25		
1874	do .....	5 32		
1875	do .....	24 00		
1876	do .....	8 00		
1877	do .....	16 00		
1878	do .....	55 96		
1879	do .....	28 25		
1880	do .....	30 00		
1881	do .....	20 50		
1882	do .....	25 50		
			219 78	
1874	Sturgeon, St. Mary's Bay Piers.....	9 80		
1875	do .....	13 50		
1876	do .....	22 00		
1877	do .....	38 00		
1878	do .....	31 70		
1879	do .....	13 00		
1880	do .....	27 50		
1881	do .....	8 00		
1882	do .....	21 50		
			185 00	
	<i>Port of Souris.</i>			1,783 90
1874	Queen's Pier, Souris.....	10 00		
1875	do .....	11 00		
1878	do .....	12 50		
1881	do .....	6 15		
			39 65	
	<i>Port of St. Peter's.</i>			39 65
1878	Dingwell's Pier.....	4 64		
1879	do .....	2 00		
			6 64	
1877	Pier north side St. Peter's Bay.....		12 00	
				18 64
	<i>Port of Grand River.</i>			
1874	Chapel Pier.....	2 50		
1878	do .....	5 00		
1880	do .....	9 02		
1881	do .....	4 88		
			21 40	
1873	Poplar Point Piers.....		3 22	
1874	Annandale Pier.....	16 12		
1875	do .....	9 00		
1876	do .....	30 00		
1879	do .....	50 00		
1880	do .....	73 50		

SCHEDULE B—Concluded.

STATEMENT showing Tolls and Dues collected at the undermentioned Piers in Prince Edward Island, &c.—Concluded.

Year.	Name of Outport and Pier.	Amount received each Year.	Amount from each Pier.	Amount from each Outport.
	<i>Port of Grand River—Concluded.</i>	\$ cts.	\$ cts.	\$ cts.
31	Annandale Pier.....	90 00		
32	do .....	103 40		
			452 02	
77	Bridgetown Pier.....	6 00		
79	do .....	15 50		
32	do .....	10 00		
			31 50	
73	Grand River Beach Pier.....	16 37		
76	do .....	12 00		
77	do .....	4 00		
78	do .....	5 00		
31	do .....	19 00		
			56 37	
	<i>Port of Montague.</i>			564 51
74	Lambert's Pier.....		64 50	
				64 50
	<i>Port of Cardigan.</i>			
73	Cardigan Pier.....	19 47		
74	do .....	16 52		
76	do .....	9 05		
77	do .....	18 00		
78	do .....	21 50		
79	do .....	70 00		
30	do .....	42 00		
31	do .....	28 00		
			224 54	
	<i>Port of Murray Harbor.</i>			224 54
74	Mink River Basin and Greek River Piers.....	1 00		
75	do .....	8 00		
76	do .....	10 00		
77	do .....	12 00		
78	do .....	12 00		
79	do .....	12 00		
30	do .....	12 00		
31	do .....	12 00		
			79 00	
76	Guernsey Point Pier.....	5 00		
77	do .....	10 00		
			15 00	
74	Murray Harbor, North and South Piers.....	8 00		
75	do .....	8 00		
76	do .....	10 00		
			26 00	
74	Murray River Piers .....	26 00		
75	do .....	29 50		
76	do .....	11 20		
77	do .....	63 60		
78	do .....	20 00		
79	do .....	10 00		
30	do .....	31 00		
31	do .....	10 00		
			201 30	
				321 30
				\$10,893 82



## SCHEDULE C.

STATEMENT showing the Amount of Tolls and Dues collected at the undermentioned Piers and Bridges in Prince Edward Island, from the 1st day of April, 1873, to the 30th day of December, 1882.

Year.	Names of Outport and of Piers and Bridges.	Amount re- ceived each year.	Amount re- ceived from each Pier and Bridge.	Amount re- ceived from each Outport.
	<i>Port of Charlottetown.</i>	\$ cts.	\$ cts.	\$ cts.
1874	North River Bridge.....	15 00		
1875	do .....	15 00		
1876	do .....	20 00		
1877	do .....	20 00		
1879	do .....	45 60		
1880	do .....	40 00		
1881	do .....	45 50		
			201 10	
1879	Mount Stewart Bridge.....	8 23		
1880	do .....	2 39		
			10 62	
	<i>Port of New London.</i>			211 72
1873	Stanley Bridge.....	20 25		
1874	do .....	20 52		
1875	do .....	14 00		
1876	do .....	3 00		
1877	do .....	12 00		
1878	do .....	25 50		
1879	do .....	31 00		
1880	do .....	38 50		
1881	do .....	30 00		
1882	do .....	30 00		
			224 77	
	<i>Port of Rustico.</i>			224 77
1873	Oyster Bed Pier and Bridge.....	12 40		
1874	do .....	15 99		
1876	do .....	71 73		
1877	do .....	8 42		
1879	do .....	29 77		
1881	do .....	15 72		
			154 03	
1875	North Rustico Bridge.....	51 32		
1876	do .....	31 73		
1879	do .....	7 00		
1880	do .....	8 00		
1881	do .....	8 00		
1882	do .....	7 00		
			113 05	
	<i>Port of Montague.</i>			267 08
1873	Montague Bridge and Pier.....	138 26		
1874	do .....	46 50		
1875	do .....	154 00		
1876	do .....	206 36		
1877	do .....	331 67		
1878	do .....	285 00		
1879	do .....	341 00		
1880	do .....	290 00		
1881	do .....	296 00		
			2,088 79	
				2,088 79

SCHEDULE C—*Concluded.*STATEMENT showing Tolls and Dues collected at the undermentioned Piers, &c., in Prince Edward Island, &c.—*Concluded.*

Year.	Names of Outport and of Piers and Bridges.	Amount received each Year.	Amount received from each Pier and Bridge.	Amount received from each Outport.
	<i>Port of Cardigan.</i>	\$ cts.	\$ cts.	\$ cts.
1874	Cardigan Bridge and Pier .....	70 50		
1877	do .....	6 00		
1878	do .....	72 50		
			149 00	149 00
	<i>Port of Orwell.</i>			
1873	Vernon River Bridge and Pier .....	63 38		
1874	do .....	49 12		
1875	do .....	82 00		
1876	do .....	167 00		
1877	do .....	144 00		
1878	do .....	145 50		
1879	do .....	164 50		
1880	do .....	175 00		
1881	do .....	178 50		
1882	do .....	180 50		
			1,354 50	1,354 50
	<i>Port of Pinette.</i>			
1874	South Pinette Bridge.....	45 00		
1875	do .....	58 00		
1876	do .....	87 20		
1877	do .....	42 00		
1878	do .....	49 00		
1879	do .....	51 00		
1880	do .....	32 00		
1881	do .....	22 00		
1882	do .....	6 00		
			392 20	
1876	North Pinette Bridge.....		2 50	394 70
	<i>Port of Murray Harbor.</i>			
1877	Murray Harbor South Pier and Bridge.....		10 00	
1878	South River and Machon's Point Pier and Bridge.....	30 00		
1879	do do .....	27 00		
1870	do do .....	28 00		
1881	do do .....	40 00		
1882	do do .....	30 00		
			155 00	165 00
				4,864 56

ARTHUR NEWBERRY, Asst. Prov'l Sec'y-Treas.

PROVINCIAL TREASURER'S OFFICE, 9th February, 1883.



OTTAWA, 5th March, 1883.

MEMORANDUM.—On the reference from Council, the undersigned have the honor to report :

That they had an interview, on the 1st day of March, with the three members of the Prince Edward Island Government now in town, and communicated to them, as authorized, the views of the members of the Canadian Government on the documents referred to the undersigned ;

That subsequently, on the 3rd instant, one of the undersigned received the enclosed memorandum from the three members above mentioned ;

The undersigned have now the honor to recommend, in accordance with the views expressed by the members of the Privy Council, that the members of the Prince Edward Island Government be informed :

That the Canadian Government is and will be ready at any time to give, in any harbor in Prince Edward Island, a proprietary title to any foreshore which may belong to it, in accordance with the recent judgment of the Supreme Court of Canada *re* the Prince Edward Island Government, or to any company incorporated to work or improve said harbor ;

That the Canadian Government will cause an immediate examination of the harbors and piers enumerated in the first above mentioned memorandum, in order to ascertain whether any, and how many, of said harbors and piers may be considered of such general public importance as to warrant them to be improved or maintained by the Canadian Government ;

That finally the Canadian Government will examine the claim for indemnity made by the Prince Edward Island Government in connection with these harbors and piers, in order to ascertain whether this claim is well founded in whole or in part, and then whether any sum, and what sum, should be paid therefor to the Prince Edward Island Government.

Respectfully submitted.

*Minister of Public Works.*

*Minister of Railways and Canals,*

*Minister of Marine and Fisheries.*

CERTIFIED COPY of a Report of a Committee of the Honorable the Privy Council approved by His Excellency the Governor General in Council on the 5th March, 1883.

The Committee of the Privy Council have had under consideration a despatch dated 10th February, 1883, from the Lieutenant-Governor of the Province of Prince Edward Island, transmitting a Minute of his Executive Council, dated 31st January, 1883, setting forth that it is the duty of the Government of Canada to provide for the construction and maintenance of all piers in the public harbors and navigable rivers of the Province, as well as to request a refund of the amount expended by the Government of that Province on such service, from 1st July, 1873, to 31st December, 1882.

A sub-committee of Council, to whom was referred the above cited despatch, report that they had a personal interview, on the 1st March, instant, with the three members of the Prince Edward Island Government delegated to proceed to Ottawa, and communicated to them, as authorized, the views of the Canadian Government on the despatch cited, and that subsequently, on the 3rd instant, one of the sub-committee received the accompanying memorandum (No. 2) from the above mentioned members of the Prince Edward Island Government.

The sub-committee recommend that the members of the Prince Edward Island Government be informed :

1st. That the Canadian Government is and will be ready at any time to give, in any harbor in Prince Edward Island, a proprietary title to any foreshore which may belong to it and which the Government of Canada do not wish to retain, in accordance with the recent judgment of the Supreme Court of Canada *re* Holman *vs.* Green,

an appeal from the Supreme Court of Prince Edward Island to the Prince Edward Island Government, or to any company incorporated to work or improve such harbor.

2nd. That the Canadian Government will cause an immediate examination of the harbors and piers enumerated in the first above mentioned memorandum, in order to ascertain whether any, and how many, of said harbors and piers may be considered of such general public importance as to warrant them to be improved or maintained by the Canadian Government.

3rd. That finally the Canadian Government will examine the claim for indemnity made by the Prince Edward Island Government in connection with these harbors and piers, in order to ascertain whether this claim is well founded in whole or in part, and then whether any sum, and what sum, should be paid therefor to the Prince Edward Island Government.

The Committee concur in the recommendations above set forth, and they submit the same for Your Excellency's approval.

JOHN J. MCGEE.

Hon. Secretary of State.

*Memorandum No. 1.*

REFERRING to their interview with the Privy Council, on the 20th instant, the undersigned members of the Government of Prince Edward Island beg to submit herewith, marked A, a map of that Province, on which is colored in red the locations of the piers mentioned in the claim of Prince Edward Island upon the Dominion Government.

The undersigned desire to point out that, with the exception of one at Souris, in connection with the railway, no piers have been built in Prince Edward Island by the Dominion Government, and that the railway wharves constructed there were paid for by the island, in the same way as the road, of which they form part.

The breakwaters constructed by the Dominion Government are valuable aids to navigation, but cannot be used for shipping purposes.

The depth of water at the piers has been found sufficient for interprovincial and other trade.

There is no personal right or mixed jurisdiction in any of these piers, with the exception of that at Summerside, which, since the expenditure was made thereon, has been passed over to the corporation of that town.

There are open public highways, vested in the Crown, leading to all these piers, with the exception of one at Little Sands, constructed only a few years ago, the right of way to which will be procured and paid for by the Provincial Government.

The accompanying statement, marked B, showing the export trade for the last fiscal year, carried on at the harbors and navigable rivers in which the piers are situated, demonstrate that the structures are not merely of a local but of a general character, and that they are indispensable for the proper conduct of trade and navigation with the Provinces of the Dominion and other places.

With the exception of what is conveyed by rail, all the produce exported from the island is carried by private vehicles directly to the piers and there shipped.

The bulky nature of the island's exports, consisting chiefly of oats, potatoes, and other farm produce, and of the imports of coal, limestone, lumber, flour, &c., together with the shortness of the shipping season, and the fact of its being an island of no great width, render it a matter of absolute necessity to have the piers situated at convenient distances.

From the statement referred to it will be seen that of oats and potatoes alone nearly three and a-half millions of bushels were shipped from the Province last year.

Owing to a variety of circumstances, such as a brief shipping season, which frequently renders it necessary for vessels to complete their loading at harbors that remain open latest, thus permitting them to only partially load in other places, and the removal in small craft not required to clear or enter at the Custom houses, some of the piers show, in the statement of exports, much less shipping trade than really takes place at them.



The imports of breadstuffs, coal, lumber and various other articles from the sister Provinces to Prince Edward Island fully correspond with the island's exports.

It will be observed that compared with the expenditure by the Dominion Government on piers on the River St. Lawrence and other places, the cost of constructing and repairing piers in Prince Edward Island is exceedingly small.

This is due to the care exercised by the Provincial Government in limiting the expenditure on such structures to the smallest possible amount.

That these expenditures were incurred by the Provincial Government is owing to a misconception naturally arising from the altered circumstances under Confederation, as to the federal and provincial rights and obligations.

Respecting the revenue derivable from the piers, the undersigned observe that under the Customs laws of the Dominion, which permit of refusing a clearance to a vessel till all public dues against her have been paid, the General Government are armed with a means of enforcing payment, which is not within the reach of a Provincial Administration.

If further information be required, the undersigned will be happy to supply it; and they should like to be afforded an opportunity of conferring with the Committee of the Privy Council before the latter complete their investigation and report.

W. W. SULLIVAN,  
DONALD FERGUSON,  
SAMUEL PROWSE.

OTTAWA, 23rd February, 1883.

#### SCHEDULE A.

##### *Piers and Breakwaters.*

- |  |                           |
|--|---------------------------|
| 1. Cascumpec pier.                             | 42. Belfast pier.         |
| 2. Bideford pier.                              | 43. Port Selkirk pier.    |
| 3. Princetown pier.                            | 44. China Point pier.     |
| 4. Kerr's Shore pier.                          | 45. Vernon River pier.    |
| 5. Long River pier.                            | 46. Pownall pier.         |
| 6. Clifton pier.                               | 47. Alexandria pier.      |
| 7. Bayview pier.                               | 48. Southport pier.       |
| 8. Dingwell's Shore pier.                      | 49. Appletree pier.       |
| 9. St. Peter's Bay ( <i>vide</i> 81, 2 piers). | 50. McCannell's pier.     |
| 10. McCallum's pier.                           | 51. Hayden's pier.        |
| 11. Campbell's Cove breakwater.                | 52. Gillis' pier.         |
| 12. Souris pier.                               | 53. Cranberry pier.       |
| 13. Rollo Bay pier.                            | 54. Haggerty's pier.      |
| 14. Bay Fortune pier (north and south side)    | 55. Hickey's Point.       |
| 15. Bridge Town pier.                          | 56. Red Point pier.       |
| 16. Poplar Point pier.                         | 57. Rockey Point pier.    |
| 17. Chapel pier.                               | 58. McEachrin's pier.     |
| 18. Annandale pier.                            | 59. McPhee's Point pier.  |
| 19. Morrison's Beach pier.                     | 60. Shaw's Point pier.    |
| 20. Launching pier.                            | 61. McEwan's Point pier.  |
| 21. Lewis' Point pier.                         | 62. Nine Mile Creek pier. |
| 22. Cardigan } 2 piers.                        | 63. De Sable pier.        |
| 23. do }                                       | 64. Victoria pier.        |
| 24. Brudenell } 2 piers.                       | 65. Cape Traverse pier.   |
| 25. do }                                       | 66. Hurd's Point pier.    |
| 26. Queen's Town pier.                         | 67. Summerside pier.      |
| 27. Montague pier.                             | 68. MacGee's pier.        |
| 28. St. Stephen's pier.                        | 69. Egmont Bay pier.      |
| 29. Lambert's pier.                            | 70. Higgin's Shore pier.  |
| 30. Aitken's Shore pier.                       | 71. West Point pier.      |
| 31. St. Mary's Bay pier.                       | 72. Tryon pier.           |

- |                                     |   |
|-------------------------------------|---|
| 2. Sturgeon pier.                   | 73. North Rustico pier.                       |
| 3. Musk River or Basin pier.        | 74. Rustico pier.                             |
| 4. Greek River pier.                | 75. Ross' New London pier.                    |
| 5. Machon's Point pier.             | 76. Pinette pier.                             |
| 6. South River pier.                | 77. Strang's pier.                            |
| 7. Burnt pier or Murray River pier. | 78. Beach Point pier.                         |
| 8. Little Sands breakwater.         | 79. Grand River pier.                         |
| 9. Wood Island do                   | 80. Peter's Shore pier.                       |
| 0. Belle Creek do                   | 81. St. Peter's Bay (2 piers, <i>vide</i> 9). |
| 1. McAulay's pier.                  | 82. Tignish breakwater.                       |

## STATEMENT B.

GENERAL STATEMENT of Goods shipped from the Port of Charlottetown and Outports under its survey, from 1st July, 1881, to 30th June, 1882, as compiled from Customs Records.

Port.	Number of Vessels and particulars of Goods shipped.	Remarks.
Charlottetown.....		SS. "Heather Belle," making two trips per week between Charlottetown and Grapaud, of which we have no account.
Georgetown.....		
Couris.....		Schooner "Sea Gull," packet between Murray Harbor and Charlottetown during 1881-82; no account of freight.
Montagu Bridge.....		
Grapaud.....		SS. "Heather Belle," making three trips per week between Charlottetown and Orwell, of which we have no account.
Murray Harbor.....		
Orwell.....		
Cardigan.....		
New London.....		
Pinette.....		
Grand River.....		

Grand total of valued merchandise "outwards" from Charlottetown and outports, \$2,820,550, and 70,105 packages miscellaneous unvalued.

TABLEAU STATEMENT of Shipments, &c., from the Port of Summerside and Outports thereof, for the Fiscal Year 1881-82, as compiled from Customs Records.

Port.	Number of Vessels and particulars of Goods shipped.	Remarks.
Summerside.....		
Gasumpec.....		
Malpeque.....		
Port Hill.....		
West Cape.....		
Tignish.....		

Grand total of valued merchandise "Outwards" from Summerside and Outports, \$656,213, and 1,242 packages miscellaneous unvalued.

Compiled by

THOS. MACKINLEY, *P. E. I. Civil Service.*

CHARLOTTETOWN, P.E.I., 14th February, 1883.



*Memorandum No. 2.*

At an interview yesterday with Sir Hector Langevin and Sir Charles Tupper, the undersigned learned that, respecting the claim of Prince Edward Island upon the Dominion for the cost of construction and maintenance of piers from 1st July, 1873, to 31st December, 1882, the General Government propose to cause an official examination of such works to be made, with a view to the Dominion Government taking charge thereof in future and reimbursing the Provincial Government for their outlay in respect of the same during the period mentioned.

As the importance of the works in question can be best determined by a consideration of the trade carried on in connection therewith, the undersigned would suggest that the collector of Customs at Charlottetown be associated in the commission to examine and report thereon.

Respecting the proposal of the Dominion Government to vest in the Government of Prince Edward Island a title to such of these piers, if any, as might be reported as not of importance to the Dominion, the undersigned desire to repeat and re-affirm their conviction, as previously expressed and communicated, that all the works mentioned in the claim of Prince Edward Island, now before the Dominion Government, are of a general character, and such as, under the terms of Confederation, it is the duty of the Federal Government to provide and maintain.

Impressed with this view of the case, the Government of Prince Edward Island would be obliged to decline the acceptance of any of these works, with their attendant obligations.

Of some of the structures in question, such as the piers at Cape Traverse and West Point, the Government of Canada are now in possession of full and accurate information as to their character, &c. This is contained in reports made in 1880 and 1882 by Mr. Boyd, Civil Engineer of the Dominion Public Works Department. The undersigned would, therefore, suggest that, pending the proposed complete examination, a payment on account be made to the Government of Prince Edward Island.

The undersigned desire to again bring to the notice of the General Government that, as it is not the intention of the Government of Prince Edward Island to incur in future any expenditure for the maintenance of these piers, or for the construction of others that may hereafter be required, it will be necessary for the Dominion Government to provide, during the present Session of Parliament, for this service.

As the undersigned desire to be in a position, on their return to the island, to report to their colleagues the result of their mission, they propose to remain in Ottawa till the final decision of the Dominion Government be arrived at, which decision they hope will be communicated to them in time to permit of their leaving for home to-morrow afternoon.

W. W. SULLIVAN,  
DONALD FERGUSON,  
SAMUEL PROWSE.

OTTAWA, 2nd March, 1883.

*Memorandum in re Harbors, Prince Edward Island.*

The extract from the Minutes of the Executive Council of Prince Edward Island, forwarded by His Honor the Lieutenant-Governor, under date 10th February, instant, covers two items.

1st. The question of communication between the island and the mainland, stipulated for in the terms of Union in 1873; and

2nd. A claim to be refunded the amount expended by the Government in the construction and maintenance of piers in the public harbors and navigable rivers of the Province, from 1st July, 1873, to 31st December, 1882, as appears by a tabular statement forwarded.

With the first item I have not anything to do.

Respecting the second item, I find that the Executive Council observe that by the 108th section of the British North America Act, 1867, the public works of each Province, enumerated in the third schedule of said Act upon its admission into the Union, became the property of Canada;

That on the 1st of July, 1873, the Province of Prince Edward Island was admitted into the Union, and its several harbors, lighthouses, &c., passed to the Dominion, and their maintenance, &c., became charges upon the general revenue;

That notwithstanding the provisions of the British North America Act, the duty of maintaining these harbors was permitted to devolve upon the Provincial Government;

That such duty should have been performed by the Dominion, because,

1st. All harbors were transferred at the time of Union; because,

2nd. They are intimately connected with an essential to trade and commerce, shipping and navigation; because,

3rd. The construction and maintenance of piers may properly be regarded as improvements in the harbors in which they are situated; because,

4th. In other Provinces the General Government exercises control and authority over structures of a similar kind, and receives revenue therefrom; and because,

5th. The soil on which these piers are built is the property of the Dominion, and over which the Province has no rights or control.

Accompanying these Minutes is a tabular statement showing the different harbors in the island on which money has been spent from year to year since 1873, for the construction, repairs and maintenance of the wharves built therein; also a statement of the amount of tolls received since that date, tabular statements of shipments from the ports of Charlottetown and Summerside, and a plan of the Province, showing the position of each harbor referred to by the Executive Council, for the explanation of which the undersigned has prepared an explanatory sheet attached hereto.

The number of harbors in the island where it is claimed improvements have been made, the cost of which should have been borne by the Dominion, is eighty-two, and possibly one or two of this number may fairly be considered as purely local, leaving, say, eighty as the number to be considered.

The amount expended by the island Government is

placed at . . . . .	\$139,926 42
But giving credit for tolls collected . . . . .	15,758 38

The total expenditure is . . . . .	\$124,168 04
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The first question for consideration is whether the Dominion has to assume these harbor works under the terms of the British North America Act, and the terms under which the island entered the Union.—Statutes of 1873.

The reason why the island authorities are of the opinion that it is the duty of the Federal Government to assume such works is twofold:

1. Because, under a recent judgment of the Supreme Court of Canada, in a case of titles to lands in dispute under letters patent from the Government of Prince Edward Island, issued in 1877, it was held that the property in public harbors being vested in the Dominion, the soil, ungranted at the time of Confederation, between high and low water marks, and being within the limits of public harbors, by the express, unqualified words of the British North America Act, became vested in the Dominion, and that the Executive Government and Legislature of Prince Edward Island ceased to have any property or rights or powers over ungranted lands between high and low water marks; and,

2. That the works for which they now ask to be reimbursed the cost of construction were built for the purpose of facilitating general trade and commerce.

The decision of the Supreme Court is as to the ownership of lands between high and low water marks, and cannot be taken to cover erections thereon, whether built by the island authorities, or companies, or individuals.



Under the Order in Council of 29th March, 1870, the harbors of the Dominion were classified as follows:—

1. All harbors constructed, improved or repaired entirely at the cost of the Dominion.
2. Those for which the Dominion contributes a portion of their cost, and are matters of both general and local interest.
3. Those that are affected by 32 and 33 Vic., chap 40, authorizing a special tax on vessels.
4. Those which serve purely local interests, the cost of constructing, improving or repairing which is borne by the Local Governments, or other parties, the Dominion not contributing thereto.

The delegates from the Executive Council of the island have stated that the whole of the harbors enumerated in the schedule submitted have been constructed, &c., for general use, and are in no sense local, as they serve for all classes of vessels engaged in trade and traffic with the island.

The bulk of the island trade is carried on by means of vessels of small size, and, to a great extent, it is interprovincial.

It may be stated here that the schedule submitted contained the name of every wharf built and owned by the Government of Prince Edward Island.

The assumption of these wharves by the Federal Government is a matter of much importance; for, if it be decided that each and all are to belong to the Dominion, then, with their assumption will follow the cost of their maintenance in the future, and the claims of other points on the coast of the island to have wharves built for the accommodation of the residents of such localities.

The delegates have stated that in other Provinces of the Dominion wharves have been built and maintained by the Federal Government, and it is right that they should be treated in the same way.

Appended is a list of amounts expended by the Government of Prince Edward Island on harbors, &c, up to 31st December, 1882.

HENRY F. PERLEY, *Chief Engineer.*

CHIEF ENGINEER'S OFFICE, PUBLIC WORKS DEPARTMENT, 24th February, 1883.

### LIST of Harbors on which Expenditures have been made since 1st July, 1873.

Name.	Number.	Name.	Number.
Shaw's Point Pier.....	60	Burnt Point Pier.....	37
Hickey's do .....	55	Mink River.....	33
Red do .....	56	Machon's Point.....	35
Appletree Pier.....	14	South River.....	36
Cranberry do .....	53	Poplar Point .....	16
McCannell's Pier.....	50	Bay Fortune .....	14
Haggarty's do .....	54	Bridgetown.....	15
Hayden's do .....	51	Annandale .....	18
Gillis' do .....	52	Chapel .....	17
Rocky Point do .....	57	Morrison's Beach.....	19
McPhee's Point Pier .....	59	Montague.....	27
Southport do .....	48	Stevens.....	28
McEwen's Point do .....	61	Lambert .....	29
McEachern's Pier.....	58	Souris.....	12
Victoria do .....	64	Bay View.....	7
Nine Mile Creek .....	62	Ross, New London Pier .....	75
DeSable.....	63	Clifton Pier.....	6
Cape Traverse Pier.....	65	Pinette do .....	76
Tryon .....	72	McAulay's Pier.....	41
Pownall .....	46	Summerside do .....	67
Alexandria .....	47	Hard's Point.....	66
Point Selkirk.....	43	Higgins.....	70
Belfast.....	42	Egmont Bay .....	69

LIST of Harbors on which Expenditures have been made since 1st July, 1873.—*Con.*

Name.	Number.	Name.	Number.
China Point.....	44	MacGee's Pier.....	68
Cernon River.....	45	Strang's do.....	77
North Rustico.....	73	West Point Pier.....	71
Castico.....	74	Princetown do.....	3
Long River.....	5	Beach Point do.....	78
Gier's Shore.....	4	Rollo Bay.....	13
Cascompec.....	1	Cardigan, South.....	22
Widford.....	2	do North.....	23
Grand River Pier.....	79	Lewis' Point.....	21
Sturgeon do.....	32	St. Peter's Bay.....	9
Georgetown do.....	Ferry.	do.....	81
Queen's do Georgetown.....	26	Dingwell's Shore.....	8
Aiken's Shore.....	30	McCallum's Point.....	10
St. Mary's Bay.....	31	Wood Islands Breakwater.....	39
Brudenell.....	24	Belle Creek do.....	40
do.....	25	Little Sands do.....	38
Peter Shore Pier.....	80	Tignish do.....	82
Launching do.....	20	Campbell's Cove do.....	11
Creek River do.....	34		

EXPENDITURES in Prince Edward Island between 1831 and 1873.

SUMMARY.

From.	Locality.	\$	cts.
1831 to 1873.....	Malpèque Bay.....	15,065	47
1831 " 1873.....	Charlottetown Harbor.....	54,912	45
1831 " 1873.....	Hillsboro' and Elliot Rivers.....	17,890	61
1831 " 1873.....	Brudenell and Montague.....	15,593	04
1834 " 1873.....	Bedeque.....	15,933	63
1836 " 1873.....	New London.....	4,075	60
1838 " 1873.....	Pinette.....	6,413	28
1839 " 1873.....	Tryon.....	3,360	90
1839 " 1873.....	Orwell.....	8,409	76
1840 " 1873.....	Crapaud.....	3,579	78
1841 " 1873.....	Grand River, Lot 55.....	5,376	88
1841 " 1873.....	St. Mary's Bay.....	1,012	44
1842 " 1873.....	Souris.....	6,251	42
1842 " 1873.....	Cardigan.....	3,912	13
1842 " 1873.....	Murray Harbor.....	3,714	41
1842 " 1873.....	Cable Head.....	350	40
1845 " 1873.....	Rustico.....	2,616	70
1845 " 1873.....	St Peter's Bay.....	7,290	24
1847 " 1873.....	Pownall Bay.....	2,806	96
1852 " 1873.....	Bay Fortune.....	813	87
1853 " 1873.....	Cascompec.....	3,105	71
1856 " 1873.....	Rollo Bay.....	2,495	36
1857 " 1873.....	Cape Traverse.....	3,754	52
1859 " 1873.....	Wood Islands.....	9,851	73
1861 " 1873.....	Nine Mile Creek.....	521	95
1867 " 1873.....	West Point.....	6,601	78
1868 " 1873.....	Elmington Bay.....	970	08
1869 " 1873.....	Cove Head.....	502	88
1869 " 1873.....	Tignish.....	8,149	06
1871 " 1873.....	Sturgeon Bay.....	986	49
1872 " 1873.....	Campbell's Cove.....	4,530	11



## SUPPLEMENTARY RETURN

(46d)

To an ADDRESS of the HOUSE OF COMMONS, dated 15th March, 1883;—For all Correspondence, Reports, Orders in Council, and all other documents relating to any claim made by the Provincial Government of Prince Edward Island for a refund of their expenditure upon public wharves and piers, and also in connection with the maintenance of Short-term Prisoners in that Province since its admission to the Union.

By Command,

HECTOR L. LANGEVIN, *Acting Secretary of State.*

Department of the Secretary of State, 16th May, 1883.

OTTAWA, 9th December, 1879.

MEMORANDUM of expenses incurred by the Government of Prince Edward Island in providing extra gaol accommodation, maintenance, &c., for criminals sentenced to imprisonment for periods of two years and upwards in the gaols of the said island.

Cost of enlargement of Queen's County gaol .....	\$12,539 10	
Extra cost in connection with Prince County gaol.....	20,108 60	
		\$32,647 70
Wages of extra keepers, overseers, &c.....	\$6,366 00	
Maintenance for 17,523 days, at 50 cts. per diem.....	8,761 50	
		15,127 50
Interest on cost of gaol extensions for three years, at 5 per cent.....	\$4,867 15	
Interest on cost of extra keepers, maintenance, &c. (\$15,127.50) for say three years, at 5 per cent.....	2,268 82	
		7,135 97
Total claim for penitentiary criminals to 30th December, 1879.....		\$54,911 17

COPY of a Report of a Committee of the Honorable the Privy Council, approved by His Excellency the Governor General in Council on the 10th December, 1879.

The Committee of Council have had under consideration the claim of the local Government of Prince Edward Island to be indemnified for money expended by that Government since the union of the island with the Dominion of Canada in the maintenance of convicts sentenced by the courts in that Province.

They have also had before them the report, dated 6th of December, 1879, hereto annexed, of the sub-committee of Council, to whom this claim has been referred, and concurring in said report, they recommend that the same be approved and acted on.

Certified.

J. O. COTÉ, *Asst. Clerk Privy Council.*

Hon. Secretary of State.

The undersigned have had under their consideration the claim of the Local Government of Prince Edward Island to be indemnified for money expended by that Government since the union of the island with the Dominion of Canada, in the maintenance of convicts sentenced by the courts in that Province, and beg to report as follows:—

The Province of Prince Edward Island entered the Union on 1st July, A.D., 1873.

Among other conditions of Union, it was agreed that Canada should assume and pay all charges for the "penitentiary."

At the time of the Union there was no institution or prison on the island known as a penitentiary, but the convicts were then and have since been imprisoned in the common gaols of the Province.

The Act of Canada relating to procedure in criminal cases, namely 32 and 33 Vic., chap. 29, and sections 93 and 96, in effect defines a penitentiary to be a prison for the confinement of convicts sentenced to imprisonment for over two years, making, however, some special exceptions with reference to New Brunswick and Nova Scotia.

This Act, with others, was extended to the Province of Prince Edward Island, in 1877, by 40 Vic., chap. 4, and by section 5 of that Act it was enacted that, in the absence of any penitentiary building in the said Province, any common gaol shall be held to be a penitentiary for the confinement of persons convicted of crime in the said Province and sentenced to imprisonment for life, or for a term not less than two years.

The provisions of this statute were to be operative from and after the 1st April, 1878.

It appears, therefore, that no provision was made by the Dominion Parliament for the care and maintenance of convicts in Prince Edward Island up to 1st April, A.D. 1878. The undersigned think, however, that as the Dominion undertook, by the terms of the Union, to assume and defray all charges for the penitentiary in the said Province, that Province should not be placed in a worse position than it would have been in had the Act of 32 and 33 Vic. been extended to the Province at the time of the Union.

The Province of British Columbia entered the Union on the 20th July, A.D. 1871, on terms similar to those upon which Prince Edward Island came in.

The criminal laws of Canada were not extended to British Columbia till 1st January, A.D. 1875. Canada, however, paid the Local Government of that Province the cost of maintaining all convicts sentenced to imprisonment for over two years, until the penitentiary at New Westminster was opened.

The Government of Canada does not support or pay for what is known as short-term prisoners in any of the Provinces of the Dominion, except in New Brunswick, where such prisoners have been maintained in the penitentiary since the Union at the expense of the Dominion; but the obligation of the Dominion to continue to support short-term prisoners is now under the consideration of the Government.

The exception in favor of New Brunswick and Nova Scotia contained in the Acts referred to was probably permitted by Parliament because short-term prisoners were received in the penitentiaries in those Provinces before the Union.

The undersigned are therefore of opinion that the claim of Prince Edward Island for the maintenance of convicts sentenced to imprisonment for two years or upwards ought to be allowed, and that it be referred to the Auditor-General, or some other officer, to report what would be a proper *per diem* allowance to pay for the penitentiary prisoners in that Province since the 1st July, A.D. 1873, together with such further sum as would fairly re-imburse Prince Edward Island for the extra expense incurred by that Province in connection with their gaols, in consequence of their having been obliged to confine in them prisoners under sentence for two years and upwards, such officer to consider always that any improvements or additions which may have been made to such gaols have been used for other purposes, and that they remain still the property of and used by the island for such other purposes.

JAS. McDONALD,  
S. L. TILLEY,  
A. CAMPBELL.

OTTAWA, 6th December, 1879.



CHARLOTTETOWN, 20th December, 1879.

MY DEAR SIR,—I telegraphed you yesterday, in order to expedite the receipt by the island Government of the amount payable for maintenance, &c., of penitentiary criminals. I now enclose you a copy of the claim delivered to you in Ottawa, and made up in accordance with the views of the Dominion Government. The charges are, you will observe, for gaol extension, wages for extra keepers, maintenance and interest on the expenditure for only a portion of the time. The whole claim is really a small one. We are most anxious to receive the money within about a week, and hope that you will have the requisite steps taken to enable us to do so.

One of the criminal prisoners, named William Young, who is undergoing imprisonment for life in Charlottetown gaol, has not been removed, and the island Government will, of course, have to continue to charge the Dominion Government the cost of keepers, maintenance, &c., for him.

I shall be glad to have this matter finally settled.

I am yours very truly,

W. W. SULLIVAN.

HON. JAMES MACDONALD, Minister of Justice.

CHARLOTTETOWN, 3rd February, 1880.

MY DEAR SIR,—I shall be glad to learn whether the Dominion Government have decided upon the amount to be paid to this Province in the penitentiary matter. The amount claimed, according to the memorandum in your Department, is \$54,911.17, and we should like to know when we may expect to receive the money. When in Ottawa I pointed out to you that the island Government required funds very badly, and I hope you will cause the matter to be concluded at once.

Believe me yours very truly,

W. W. SULLIVAN.

HON. JAMES MACDONALD, Minister of Justice.

DEPARTMENT OF JUSTICE, OTTAWA, 13th February, 1880.

Will the Secretary of State please inform the Government of Prince Edward Island that in order to arrive at an intelligent estimate of the amount which is to be paid for the maintenance of penitentiary prisoners in the gaols of Prince Edward Island, from the date of Union until the removal of those prisoners took place, in December last, it is necessary that the following information should be supplied:—

1. The average number of prisoners whose sentences were less than two years confined in each gaol on the island since the date of Union, up to the 31st December, 1879.
2. The average number of prisoners whose sentences were two years and more confined in each gaol on the island for the same period.
3. The average cost of the prisoners whose sentences were less than two years *per capita* per annum for maintenance, including rations, clothing, fuel, light, salaries of officers, and other incidental working expenses.

And that upon the information being furnished, no time will be lost in making the necessary computation.

Z. A. LASH, D. M. J.

DEPARTMENT SECRETARY OF STATE,

OTTAWA, 17th February, 1880.

SIR,—I have the honor to inform you that in order to arrive at an intelligent estimate of the amount which is to be paid for the maintenance of penitentiary prisoners in the gaols of Prince Edward Island, from the date of the Union until the removal of those prisoners took place, in December last, it is necessary that the following information should be supplied:—

1. The average number of prisoners whose sentences were less than two years confined in each gaol on the island since the date of Union, up to the 31st December, 1879.

2. The average number of prisoners whose sentences were two years and more confined in each gaol on the island for the same period.

3. The average cost of the prisoners whose sentences were less than two years *per capita* per annum for maintenance, including rations, clothing, fuel, light, salaries of officers, and other incidental working expenses.

Upon the above information being furnished, no time will be lost in making the necessary computation.

I have the honor to be, Sir, your obedient servant,

EDOUARD J. LANGEVIN, *Under Secretary of State.*

His Honor Lieutenant-Governor Prince Edward Island, Charlottetown.

PRINCE EDWARD ISLAND,

GOVERNMENT HOUSE, 27th February, 1880.

SIR,—I have the honor to acknowledge the receipt of your despatch of the 17th February instant, requesting certain information connected with the maintenance of penitentiary prisoners in the gaols of this Province, from the date of Union until the removal of those prisoners in December last. Herewith enclosed you will find a return, signed by the Provincial Auditor, containing the information required by the said despatch, as well as a memorandum of the claim made by my Government for providing extra gaol accommodation, maintenance, &c., for criminals sentenced to imprisonment for periods of two years and upwards in the gaols of this Province.

I have the honor to be, Sir, your obedient servant,

T. HEATH HAVILAND, *Lieutenant-Governor.*

Hon. Secretary of State.

*Prince Edward Island.*

Average number of prisoners whose sentences were less than two years, confined in each gaol on the island since the date of Union up to 31st December, 1879:

Queen's County, 316; Prince County, 32; King's County, 20.

Average number of prisoners whose sentences were two years and more, confined in each gaol on the island since the date of Union up to 31st December, 1879:

Queen's County, 6; Prince County, 1; King's County, 1.

Average cost of the prisoners whose sentences were less than two years *per capita* per annum, for maintenance, including rations, clothing, fuel, light, salaries of officers, and other incidental working expenses:

Three county gaols, one hundred and sixty-five dollars.

Certified, WILLIAM C. DESBRISAY, *Provincial Auditor.*

MEMORANDUM of claim by the Government of Prince Edward Island for providing extra gaol accommodation, maintenance, &c., for criminals sentenced to imprisonment for periods of two years and upwards, in the gaols of said island:—

Cost of enlargement of Queen's County gaol.. \$12,539 10

Extra cost in connection with Prince

County gaol..... 20,108 60

————— \$32,647 70

Wages of keepers, overseers, &c..... 6,366 00

Maintenance for 17,523 days, at 50 cents

per diem..... 8,761 50

————— 15,127 50

Interest on cost of gaol extensions (\$32,647.70), average

at three years, at 5 per cent..... 4,867 15

Interest on cost of keeper's maintenance, &c., \$15,127.50,

average at three years, at 5 per cent..... 2,268 82

Total claim for penitentiary criminals to 31st

December, 1879..... \$54,911 17

Certified.

WILLIAM C. DESBRISAY, *Provincial Auditor.*



*By Telegraph from Charlottetown, P. E. I.*

OTTAWA, 11th March, 1880.

Is it the intention to pay island claim for expenditure in providing extra gaol accommodation for criminals in addition to amount mentioned in your telegram for personal maintenance, otherwise we shall be most unjustly treated; telegraph answer.

Hon. JAS. MACDONALD, Minister of Justice.

W. W. SULLIVAN.

INSPECTOR OF PENITENTIARIES OFFICE,  
DEPARTMENT OF JUSTICE, OTTAWA, 10th March, 1880.

SIR,—The claim made by the Government of Prince Edward Island for the maintenance of convicts from date of the Union of that Province, 1st July, 1873, to 31st December, 1879, amounts to \$54,911.17. This is made up of the following items, viz.:—

Cost of enlargement of Queen's County gaol. ....	\$12,539 10
Extra cost in connection with Prince County gaol.....	20,108 60
Interest on above.....	4,867 15
Wages of keepers, overseers, &c.....	6,366 00
Maintenance.....	8,761 50
Interest on cost of keeper's maintenance, &c.....	2,268 82
	<hr/>
	\$54,911 17

I find it quite impossible to arrive at any proper basis upon which to rest a recommendation of the settlement of the claim from these figures.

What are the actual facts as shown in the papers certified by the Provincial Auditor?

That whereas an average number of short-term prisoners of 316 is given for Queen's County gaol, from the date of the Union till 31st December, 1879, the Dominion Government is asked to bear the whole expense of the enlargement for an average of six convicts—not quite 2 per cent. of the prison population.

In like manner, the average number of short-term prisoners set down for Prince County gaol, during the same period, is 32, and of convicts one, yet a claim for \$20,108.60 is made for the prison accommodation furnished for this solitary individual.

From the statement of the Provincial Auditors it would appear that the Charlottetown and Summerside gaols are in operation in their enlarged or improved condition about three years. This is to be gathered from the fact that interest for an "average at three years" only is charged. Consequently, the same average number of convicts, viz., six and one, had been accommodated from the date of the Union up to the time when the improvements were completed, that is, during a like period of three years. Nothing is set forth in the island papers before me to prove any necessity for the large outlay made to enlarge and otherwise improve these gaols so far as the convict inmates were concerned.

Had there been, at any time, a notable increase in the number of convicts that would call for the enlargement and improvements which entailed the expenditure of \$32,607.70, a *pro rata* charge of the cost would be warranted against the average of seven convicts as compared with the average of 348 short-term prisoners. But this is not the case, or at least, if it had been during the six years and a-half the convicts were maintained by the island Government, no mention has been made of such increase. Therefore, I must conclude that the average number of convicts in the two gaols, namely six and one, was uniform. Upon this hypothesis it seems evident that, as regards the convicts, no greater necessity existed for the enlargement or improvement of these gaols in 1876 than in 1875, or the two previous years.

These deductions founded on the *data* and figures of the Provincial Auditor invalidated, *primâ facie*, the claim to indemnity for the enlargement, &c., of the two gaols in question.

Hence, I consider the items of \$12,539.10 and \$20,108.60 should be set aside as not resting on any valid ground.

The interest on these amounts, namely, \$4,876.16, follows the principal, as a matter of course.

The next item of \$6,366, "the wages of keepers, overseers, &c.," is evidently covered in the charge for the maintenance of the convicts, which is rated at 50 cents *per capita* per diem, and amounts to \$8,761.50.

It may be assumed that the average cost *per capita* per annum for the maintenance of short-term prisoners and convicts was the same, since no difference is pointed out. Now, according to the showing of the Provincial Auditor, the "average cost of the prisoners," whose sentences were less than two years, *per capita* per annum, for maintenance, including rations, clothing, fuel, light, salaries of officers and other incidental working expenses in the three county gaols was "one hundred and sixty-five dollars," or about 45 cents *per capita* per diem, whereas 50 cents *per capita* per diem, is charged in the account for each convict. This rate gives, in round numbers, \$6.50 more per annum for the convict than the short-term prisoners. With this margin over and above the total cost for the short-term prisoners, I am unable to understand why a distinct charge should have been made for the "wages of keepers, overseers, &c."

Had the convicts been isolated from the short-term prisoners, having separate keepers, overseers, dietary, employment, &c., it were easy to see the reason for an extra charge on account of extra guarding and supervision. It is not, however, stated that any difference in the treatment of the two classes of prisoners obtained.

Hence, it were fair to infer that it did not exist, and on that account the sum of \$6,366, charged in the Provincial Auditor's memorandum, should be disallowed. As in the case of the enlargement of the gaols, the interest on this amount is a charge which cannot be entertained.

I now come to the only item of the account—maintenance of the convicts—to be considered in view of a settlement.

The Provincial Auditor represents that there was an average of eight convicts for six and a-half years, from 1st July, 1873, to 31st December, 1879. This gives 19,884 instead of 17,523 days, as appears in the account. Here I may state that a charge of 50 cents per diem is paid by the Government of Manitoba to the Dominion for the support of lunatics confined in Stony Mountain penitentiary; that the Imperial Government allows 12 cents per diem for military prisoners sent to Halifax penitentiary; that the Dominion Government paid less than 40 cents per diem for the maintenance of prisoners from Keewatin and the North-West while confined in Manitoba gaol awaiting trial; and that 75 cents per diem was the sum paid by the Dominion to the Government of British Columbia for the convicts held in the gaols at Victoria and New Westminster. In view of these various rates, and to remove any reasonable cause of complaint, I beg to recommend that the sum of 75 cents *per capita* per diem be granted for the maintenance of the Prince Edward Island convicts, from the 1st July, 1873, to 31st December, 1879. I further recommend that since the Government of the Dominion has had the use of the money due for the maintenance of the convicts, interest upon the amount be allowed till the 1st July, 1880.

I beg to annex the account for maintenance calculated upon the basis of the recommendation I have made.

I am, Sir, your obedient servant,

JAS. G. MOYLAN.

A. LASH, Esq., Deputy Minister of Justice.

\$2,190 due 1st July, 1874.....	\$2,190 00
Interest at 5 per cent., six years.....	657 00
2,190 due 1st July, 1875.....	2,190 00
Interest five years.....	547 50



2,190 due 1st July, 1876.....	2,190 00
Interest four years.....	438 00
2,190 due 1st July, 1877.....	2,190 00
Interest three years.....	328 50
2,190 due 1st July, 1878.....	2,190 00
Interest two years.....	219 00
2,190 due 1st July, 1879.....	2,190 00
Interest one year.....	109 00
1,095 due 1st January, 1880.....	1,095 00
Interest six months.....	54 75
<u>\$14,235</u>	<u>\$16,589 25</u>

*COPY of a Report of a Committee of the Honorable the Privy Council, approved by His Excellency the Governor General in Council on the 16th March, 1880.*

On a report, dated 10th March, 1880, from the Hon. the Minister of Justice, stating that pursuant to the provisions of the Order in Council of the 10th December last, respecting the claim of the Prince Edward Island Government for the cost of maintaining in the island prisoners whose sentences were two years and upwards, the Inspector of Penitentiaries was requested to report what would be a proper per diem allowance to pay for such prisoners, together with such further sum as would fairly reimburse them for the extra expense incurred by that Province in connection with their gaols, in consequence of their having been obliged to confine in them prisoners under sentence for two years and upwards.

The Minister submits the Inspector's report, and recommends that the sum recommended by him, namely \$16,589.25, be paid to the Prince Edward Island Government in full of their claim, so soon as that amount has been voted for that purpose.

The Minister further recommends that a copy of the Inspector's report, and of the Minute of Council passed upon the Minister's recommendation, be transmitted to the Lieutenant Governor of Prince Edward Island for the information of his Government.

The Committee submit the above recommendations for Your Excellency's approval.

Certified.

J. O. COTÉ, C. P. C.

DEPARTMENT SECRETARY OF STATE, OTTAWA, 20th March, 1880.

SIR,—Adverting to your despatch of the 27th ult., and its enclosure, I have the honor to transmit to you herewith, for the information of your Government, a copy of an Order of His Excellency the Governor General in Council, and of the report of the Inspector of Penitentiaries therein referred to, on the subject of the claim of that Government for the cost of maintaining in the island prisoners whose sentences were two years and upwards. I also enclose a copy of an Order in Council of the 10th December last, under the authority of which the report of the Inspector of Penitentiaries was made.

I have the honor to be, Sir, your obedient servant,

J. C. AIKINS, *Secretary of State.*

His Honor Lieutenant-Governor of Prince Edward Island,  
Charlottetown.

PRINCE EDWARD ISLAND,

GOVERNMENT HOUSE, 29th March, 1880.

SIR,—I have the honor to acknowledge the receipt of your despatch, of the 20th instant, transmitting to me, for the information of my Government, a copy of an Order of His Excellency the Governor General in Council, and of the report of the Inspector of Penitentiaries, therein referred to, on the subject of the claim of my

Government for the cost of maintaining, in the island, prisoners whose sentences were two years and upwards. There was also received a copy of an Order in Council of the 10th December last, under the authority of which the report of the Inspector of Penitentiaries was made.

I have the honor to be, Sir, your obedient servant,

T. HEATH HAVILAND, *Lieutenant-Governor.*

Hon. Secretary of State.

AUDIT OFFICE, CHARLOTTETOWN, 8th April, 1880.

SIR,—Referring to the report of James G. Moylan, Esquire, Inspector of Penitentiaries, dated 10th March last, addressed to the Deputy Minister of Justice, upon the claim of this Province on the Dominion Government for maintenance of convicts, from 1st July, 1873, to 31st December, 1879, I beg to submit the following remarks:—

Reference is made, in the Inspector's report, to certain papers certified by the Provincial Auditor. These papers are: (1) The statement of claim made by the Province, and (2) a memorandum showing the average number of prisoners confined in each gaol of the Province from 1st July, 1873, to 31st December, 1879, whose sentences were less than two years, and over two years, respectively; and also the average cost, *per capita*, per annum, of maintaining said prisoners. This latter memorandum was not furnished as an annex to the statement of claim (which was made in December, 1879), but in compliance with a request from the Secretary of State in February last, and I respectfully submit that, although correct in itself, it does not afford a fair or sufficient basis upon which to frame calculations or draw conclusions.

In the third paragraph of his report, the Inspector asserts that whereas an average number of short-term prisoners of 316 is given for Queen's County gaol, from 1st July, 1873, to 31st December, 1879, the Dominion Government is asked to bear the whole expense of the enlargement for an average of six convicts—not quite 2 per cent. of the prison population; 316 has been the average yearly number of prisoners committed to Queen's County gaol during the period referred to, but it is not on that account to be presumed that there was a daily average of 316 prisoners serving short terms, as against a daily average of six prisoners serving long terms. It is manifestly incorrect to say that the six convicts form not quite 2 per cent. of the population. From the nature of their sentence, it is necessary that each of them spend at least two years in gaol, whereas, in the case of the 316 short-term commitments, many of them serve only from twenty to sixty days. To make a just comparison of the numbers of prisoners serving long terms and short terms respectively, it is necessary to arrive at the number of days served in prison by each class, and which I have made up as follows:—

Number of days' imprisonment served by criminals undergoing terms of sentence with hard labor for periods less than two years, between 1st July, 1873, and 31st December, 1879.....	18,735
Number of days' imprisonment served by criminals undergoing terms of sentence, with hard labor, for periods of two years and over .....	<u>10,655</u>

This, I submit, is the correct mode of comparison, and shows that the convicts liable to be provided for in the penitentiary served over 36 per cent. of the whole number of days served by the total convict population serving sentences of hard labor.

In the fifth paragraph of his report, the Inspector states, "that it would appear that the Charlottetown and Summerside gaols are in operation, in their enlarged or improved condition, about three years, from the fact that interest for an average of three years only is charged; consequently, the same average number of convicts had been accommodated from the date of the Union up to the time when the improvements were completed, or during a like period of three years." In the first part of the foregoing quotation the Inspector is perfectly correct. Both gaols have been in



operation in their enlarged condition for about three and a-half years prior to 31st December last, but I cannot see that the deduction contained in the latter part of the same quotation follows as a consequence of the assumption made in the first part. The facts are otherwise, and reference to the annexed schedule will prove the incorrectness of the conclusions at which the Inspector has arrived, viz., that nothing is set forth in the island papers to prove any necessity for the large outlay made to enlarge and otherwise improve these gaols, so far as the convict inmates were concerned.

In the sixth paragraph the Inspector says: "Had there been, at any time, a notable increase in the number of convicts that would call for the enlargement and improvements which entailed the expenditure of \$32,607.70, a *pro rata* charge of the cost would be warranted against the average of seven convicts, as compared with the average of 348 short-term prisoners, but as no mention has been made of such increase, he concludes that the average number of convicts in the two gaols was uniform, and upon this hypothesis he considers it evident that, as regards the convicts, no greater necessity existed for the enlargement or improvements of the gaols in 1876 than in 1875, or the two previous years." It is unfortunate, perhaps, that the information asked for by the Secretary of State did not ask for the actual number of convicts maintained during each year, instead of the average number. From the schedule annexed it will be observed that from three long-term convicts, undergoing sentence in Queen's County gaol in 1875, the number increased, in 1876, to nine, and it was in consequence of this alarming increase in this special class of offenders that the Province was suddenly compelled to make extensive additions to Queen's County gaol, to provide for the safe keeping of prisoners who should have been confined in a penitentiary.

In the seventh paragraph of his report, the Inspector states that his deductions, founded on the data and figures of the Provincial Auditor, in the island papers already referred to, invalidate the claim to indemnity for the enlargement of the two gaols in question. I have already remarked that these papers, or rather this memorandum, which was furnished in compliance with the request of the Secretary of State, and which, though correct, does not apply intelligently to the question under consideration, cannot be taken as a basis upon which to found calculations. I submit the annexed schedule, which gives the numbers for each year since the date of Union, and shows the annual increase or decrease.

Referring to the ninth paragraph of the Inspector's report, I may remark that a careful calculation gives the result of a rate of \$165 per annum, as over 45 cents per diem, and not 40 cents per diem, as therein stated.

I have the honor to be, &c.,

WILLIAM C. DESBRISAY, *Provincial Auditor.*

HON. W. WM. SULLIVAN, President Executive Council.

NUMBER OF PRISONERS committed to each gaol in Prince Edward Island, whose terms of sentence were for less than two years, between 1st July, 1873, and 31st December, 1879.

	1873. $\frac{1}{2}$ year.	1874.	1875.	1876.	1877.	1878.	1879.
Queen's County.....	119	186	243	448	526	309	223
Prince County.....	14	25	25	19	39	57	32
King's County.....	13	29	21	14	25	17	8

NUMBER OF PRISONERS committed to each gaol in Prince Edward Island, whose terms of sentence were for two years and upwards, between 1st July, 1873, and 31st December, 1879.

	1873. $\frac{1}{2}$ year.	1874.	1875.	1876.	1877.	1878.	1879.
Queen's County.....	2	3	3	9	8	5	9
Prince County.....	.....	.....	.....	1	1	2	2
King's County.....	.....	.....	2	2	2	2	.....

WILLIAM C. DESBRISAY, *Provincial Auditor.*

DEPARTMENT SECRETARY OF STATE, OTTAWA, 10th May, 1880.

SIR,—I am directed to acknowledge the receipt of your despatch of the 1st instant, enclosing a copy of a Minute of your Executive Council, and of its enclosure, in reference to the correspondence which has taken place with the Dominion Government on the subject of the maintenance, from the 1st July, 1873, to the 31st December, 1879, of prisoners sentenced to imprisonment for two years and upwards.

I have the honor to be, Sir, your obedient servant,  
EDOUARD J. LANGEVIN, *Under Secretary of State.*

His Honor Lieutenant-Governor Prince Edward Island,  
Charlottetown.

PRINCE EDWARD ISLAND GOVERNMENT HOUSE, 1st May, 1880.

SIR,—I have the honor to transmit herewith, for the further consideration of the Dominion Government, a Minute of my Council, relating to the claim of this Province for the cost of maintaining prisoners whose sentences were two years and upwards, from 1st July, 1873, to 31st December, 1879, as well as a copy of a letter from the Provincial Auditor to the President of the Council, dated the 8th April, on the subject of Mr. Moylan's report.

I have the honor to be, Sir, your obedient servant,  
T. HEATH HAVILAND, *Lieutenant-Governor.*

Hon. Secretary of State.

EXTRACT from *Minutes of Executive Council of Prince Edward Island.*

COUNCIL CHAMBER, 23rd April, 1880.

At a meeting of the Executive Council in committee:

The Council in committee having had under consideration copy of a report of the Hon. the Privy Council, dated at Ottawa, 16th March, 1880, upon the subject of the claim of this Province for the cost of maintaining prisoners whose sentences were two years and upwards, from 1st July, 1873, to 31st December, 1879, with which was transmitted a report from James G. Moylan, Esq., Inspector of Penitentiaries, upon the said claim, and wherein he recommends that the sum of \$16,589.25 be allowed in full settlement of the same, observe that no allowance is made for the cost of gaol extensions, and as they are of opinion, from the papers transmitted, that the Dominion Government is not fully aware of all the facts and circumstances connected with that portion of the claim, they recommend that further correspondence be had, and that a statement on amendment and explanation of that already furnished the Dominion Government be forwarded.

The Council in committee also recommend that a copy of the letter of the Provincial Auditor to the President of the Council, dated 8th April, instant, on the subject of Mr. Moylan's report, be transmitted to the Secretary of State, in further explanation of the claim of this Province.

Approved by the Lieutenant-Governor.  
Certified.

WILLIAM C. DESBRISAY, *Clerk Executive Council.*



DEPARTMENT OF JUSTICE, OTTAWA, 19th June, 1880.

The enclosed cheque for \$16,589.25 payable to the order of the Hon. the Provincial Treasurer, Prince Edward Island, is transmitted to the Hon. the Secretary of State, with a request that the same may be sent to the Lieutenant-Governor of Prince Edward Island, being the amount allowed for maintenance of prisoner's in the gaols of the island whose sentences are two years and upwards.

Z. A. LASH, *D. M. J.*

DEPARTMENT SECRETARY OF STATE, OTTAWA, 23rd June, 1880.

SIR,—Adverting to previous correspondence upon the subject, I have the honor to transmit to you herewith a cheque for \$16,589.25 payable to the order of the Hon. the Provincial Treasurer of the Province of Prince Edward Island, being the amount allowed for maintenance of prisoners in the gaols of that Province whose sentences are two years and upwards.

I have the honor to be, Sir, your obedient servant,

J. C. AIKINS, *Secretary of State.*

His Honor Lieutenant-Governor Prince Edward Island,  
Charlottetown.

PRINCE EDWARD ISLAND, GOVERNMENT HOUSE, 29th June, 1880.

SIR,—I have the honor to acknowledge the receipt of your despatch of the 23rd of June, transmitting a cheque for \$16,589.25, payable to the order of the Provincial Treasurer, being the amount allowed for maintenance of prisoners in the gaols of this Province whose sentences are two years and upwards.

I have the honor to be, Sir, your obedient servant,

T. HEATH HAVILAND, *Lieutenant-Governor.*

Hon. Secretary of State.

OTTAWA, 15th November, 1880.

MEMORANDUM.—Wanted, a copy of Minute of Council of the Government of Prince Edward Island, forwarded to the Dominion Government last spring, on the subject of the island's claim to be reimbursed for expenditure incurred in providing prison accommodation for penitentiary criminals subsequently to the island's union with the Dominion, in July, 1873.

W. W. SULLIVAN, *Attorney-General, P.E.I.*

DEPARTMENT OF JUSTICE, INSPECTOR'S OFFICE,

PENITENTIARIES BRANCH, OTTAWA, 26th September, 1882.

SIR,—Pursuant to the instructions of the Minister of Justice, conveyed to me in your telegram of 13th instant, I proceeded from Halifax to Prince Edward Island, to examine into the claim of the island Government against the Government of the Dominion for expenditure incurred in respect of gaol extension and construction for the accommodation of penitentiary criminals, between the 1st of July, 1873, and the 31st of December, 1879.

I have the honor to report that I had interviews with the Clerk of the Executive Council of Prince Edward Island, the prothonotary and the gaolers of Queen's and Prince counties, and that these officials—although instructed by the Attorney-General to give me all the information they possessed—were unable to throw any further light upon the matter than appears in the papers which formed the basis of my report of 10th March, 1880.

With reference to the extra cost (\$20,108.60), in connection with the Prince County gaol, at Summerside, no new fact or circumstances has come to my knowledge that could lead me to deviate from my former recommendation that this portion of the claim be disallowed. It is quite true that a new gaol was positively needed to properly accommodate the debtors and short-term prisoners of Prince County, many

years before the one was provided, for the construction of which the Government of Prince Edward Island now asks the Dominion Government to pay a proportionate share of the cost; it is also true that a new gaol has been built; but there is nothing to show that the average on one convict, from the 1st of July, 1873, to the 31st of December, 1879, rendered it more necessary to build a new gaol between 1873 and 1879 than it had been between 1870 and 1873, when there was the same average of one. So far as I have been able to learn, a new gaol, for the safe keeping and accommodation of debtors, short-term prisoners and convicts, of Prince County, was as much required in 1870 as when the building was actually erected.

I consider, therefore, that the allowance made for the average of one convict imprisoned in Prince county gaol, from the 1st of July, 1873, until the 31st of December, 1879, and included in the sum of \$16,589.25, the amount recommended by me in settlement of the whole claim of the Prince Edward Island Government, is an adequate indemnity for the gaol accommodation supplied to the convicts of Prince county.

Respecting the claim of \$12,539.10 for providing gaol accommodation from 1876 till the 31st December, 1879, for criminals sentenced for two years and upwards, to Queen's County gaol, at Charlottetown, I find that, whereas, there was only one convict in that gaol on the 1st of July, 1875, the number increased to eight by the 31st of March, 1876. On the same dates, respectively, the total number of all classes of prisoners in confinement was 16 and 66. Before the enlargement of this gaol only 32 prisoners could be suitably lodged in the eight rooms it contained. Between the 1st of July, 1873, and the 31st of March, 1876, when, as I have already stated, 36 were confined—the largest number of prisoners on the return is shown on the following dates: 38 on the 1st of January, 1874; 31 on the 1st of July, 1874, and 37 on the 1st January, 1876. Thus it will be seen that the increase, both in the number of convicts and other prisoners, from the 1st of July, 1875, to the 31st of March, 1876, was so great as to compel the Government to make the enlargement, which, like the new gaol at Summerside, had been very much wanted, even before the 1st of July, 1873.

The enlargement added 40 more cells to the gaol, thereby giving accommodation to a total of 72 prisoners.

There were nine convicts transferred from Charlottetown gaol to Kingston penitentiary on the 15th of December, 1879.

Had the Queen's County gaol afforded sufficient accommodation for the convicts confined there without any expense for enlargement being incurred, I contend that the amount (\$16,589.25) already paid by the Dominion Government, beyond year or day, amply compensates the Government of Prince Edward Island for every expense connected with the maintenance of all the convicts, including prison lodging, from the 1st of July, 1873, to the 31st of December, 1879. But, as the convicts were left in the hands of the Provincial Government to take care of and provide for, as the gaol appears to have met the requirements of the Local Government until 1876, as the number of convicts and other prisoners suddenly and largely increased, and as the enlargement of Queen's County gaol has been, on the part of the Prince Edward Island Government, avowedly made to meet the demand for increased accommodation for convicts whose maintenance and safe-keeping are the concern of the Dominion Government, I am of opinion that this particular part of the claim is entitled to favorable consideration.

I deem it proper to add that I have failed to learn whether the Prince Edward Island Government notified the Dominion Government of their intention to claim compensation for the enlargement of Queen's County gaol, before the work was commenced.

I have the honor to be, Sir, your obedient servant,

JAS. G. MOYLAN.

GEORGE W. BURBIDGE, Esq., Deputy Minister of Justice.



DEPARTMENT OF JUSTICE, OTTAWA, 27th September, 1882.

SIR,—Pursuant to the instructions of the Minister of Justice by you verbally conveyed to me to-day, having reference to my report of the 26th instant, on the claim of the Prince Edward Island Government against the Government of the Dominion, for expenditure incurred in respect of gaol extension and construction for the accommodation of penitentiary criminals, between the 1st of July, 1873, and the 31st of December, 1879, and requesting me to report, for the information of the Minister, what sum should, in my opinion, be paid to the Government of Prince Edward Island to reimburse them for the extension and expenditure of the Queen's County gaol, I beg leave to report that in view of the fact, as stated in my report, that between the 1st July, 1875, and 31st March, 1876, the number of convicts increased from 1 to 8, and of the other prisoners from 15 to 58, and that the total new accommodation provided by the extension was 40 cells, and that the gaol, as extended, is the property of the Government of Prince Edward Island, I am of opinion that if the Government of the Dominion should pay to the Government of Prince Edward Island one-fourth of the total expenditure incurred for extension, with interest at 5 per cent., they will be assuming their fair share and proportion of the expenditure.

I have the honor to be, Sir, your obedient servant,

JAS. G. MOYLAN.

G. W. BURBIDGE, Deputy Minister of Justice.

DEPARTMENT SECRETARY OF STATE, OTTAWA, 3rd October, 1882.

SIR,—I have the honor to inform you that His Honor the Deputy of the Governor General has had under his consideration in Council the claim of the Government of the Province of Prince Edward Island against the Government of the Dominion for expenditure incurred in respect of gaol extension and expenditure for the accommodation of penitentiary convicts, from the 1st July, 1873, to the 31st December, 1879.

I have now to state, for the information of your Government, that His Honor is advised that nothing should be paid on account of the Prince County gaol at Summerside; but that upon the Government of Prince Edward Island giving a full discharge of all claims in connection with gaol extension, as aforesaid, there be paid to them the sum of \$4,075.20, being one-fourth of the sum of \$12,539.10, certified as the cost of the extension of Queen's County gaol, and interest thereon for six years, at 5 per cent.

I have the honor to be, Sir, your obedient servant,

L. S. TILLEY, *for Secretary of State.*

His Honor Lieutenant-Governor of Prince Edward Island,  
Charlottetown.

GOVERNMENT HOUSE, PRINCE EDWARD ISLAND, 24th October, 1882.

SIR,—I have the honor to acknowledge the receipt of your despatch of the 3rd October instant, upon the subject of the claim of the Government of the Province of Prince Edward Island against the Government of the Dominion for expenditure incurred in respect of gaol extension and expenditure for the accommodation of penitentiary convicts, from the 1st July, 1873, to the 31st December, 1879.

Herewith I transmit a certified copy of an approved Minute of my Council, bearing date the 20th of October instant, wherein the Council recommends that the sum of four thousand and seventy-five dollars and twenty cents (\$4,075.20), offered by the Dominion Government, be accepted in full for the claim of the Province of Prince Edward Island in respect of gaol extension.

I have the honor to be, Sir, your obedient servant,

T. HEATH HAVILAND, *Lieutenant-Governor.*

Hon. Secretary of State.

EXTRACT from *Minutes of the Executive Council of Prince Edward Island.*

COUNCIL CHAMBER, 20th October, 1882.

The Council in committee had under consideration a despatch from the Secretary of State, dated at Ottawa, 3rd October, 1882, addressed to His Honor the Lieutenant-Governor, informing him that:

"His Honor the Deputy of the Governor General has had under his consideration in Council the claim of the Government of the Province of Prince Edward Island against the Government of the Dominion, for expenditure incurred in respect of gaol extension and expenditure for the accommodation of penitentiary convicts, from the 1st July, 1873, to the 31st December, 1879.

"And that upon the Government of Prince Edward Island giving a full discharge of all claims in connection with gaol extension, as aforesaid, there be paid to them the sum of four thousand and seventy-five dollars and twenty cents (\$4,075.20), being one-fourth of the sum of twelve thousand five hundred and thirty-nine dollars and ten cents (\$12,539.10), certified as the cost of the extension of Queen's County gaol, and interest thereon for six years, at five (5) per cent."

The Council in Committee recommend that the sum of four thousand and seventy-five dollars and twenty cents (\$4,075.20) offered by the Dominion Government, be accepted in full for claim of Prince Edward Island Government, in respect of gaol extension.

Approved by His Honor the Lieutenant-Governor.

Certified,

R. F. DEBLOIS, *Clerk Executive Council.*

*CERTIFIED COPY of a Report of a Committee of the Honorable the Privy Council, approved by His Honor the Deputy of His Excellency the Governor General in Council on the 29th September, 1882.*

On a report, dated 27th September, 1882, from the Minister of Justice, stating that he instructed the Inspector of Penitentiaries to proceed from Halifax to Prince Edward Island to examine the claim of the Prince Edward Island Government against the Government of the Dominion for expenditure incurred in respect of gaol extension and expenditure for the accommodation of penitentiary convicts from the 1st July, 1873, to the 31st December, 1879.

The Minister quotes extracts from the report of the Inspector of Penitentiaries, and for the reasons therein assigned recommends that nothing be paid on account of the Prince County gaol at Summerside, but that upon the Prince Edward Island Government giving a full discharge of all claims in connection with gaol extension as aforesaid, there be paid to them the sum of four thousand and seventy-five dollars and twenty cents (\$4,075.20), being one-fourth of the sum of \$12,539.10, certified as the cost of the extension of Queen's County gaol, and interest thereon for six years at 5 per cent., and that this sum of \$4,075.20 be paid out of the "Unforeseen Expenses."

The Committee concur in the foregoing recommendation, and advise that a despatch communicating the substance of this report be sent to the Lieutenant-Governor of Prince Edward Island, for the information of his Government.

JOHN J. McGEE.

Hon. Secretary of State.

DEPARTMENT OF JUSTICE, OTTAWA, 27th September, 1882.

*To His Excellency the Governor General in Council:*

The undersigned has the honor to report that on the 13th instant, he instructed the Inspector of Penitentiaries to proceed from Halifax to Prince Edward Island to examine the claim of the Prince Edward Island Government against the Government of the Dominion for expenditure incurred in respect of gaol extension and expenditure for the accommodation of penitentiary convicts from the 1st July, 1873, to the 31st December, 1879.

That the Inspector has made the examination, and reports as follows:—



"I have the honor to report that I had interviews with the Clerk of the Executive Council of Prince Edward Island, the prothonotary and the gaoler of Queen's and Prince Counties, and that these officials, although instructed by the Attorney-General to give me all the information they possessed, were unable to throw any further light upon the matter than appears in the papers which formed the basis of my report of 10th March, 1880, with reference to the extra cost (\$20,108.60) in connection with the Prince County gaol at Summerside. No new fact or circumstance has come to my knowledge that could lead me to deviate from my former recommendation that this portion of the claim be disallowed.

"It is quite true that a new gaol was positively needed to properly accommodate the debtors and short-term prisoners of Prince County many years before the one was provided, for the construction of which the Government of Prince Edward Island now asks the Dominion Government to pay a proportionate share of the cost. It is also true that a new gaol has been built, but there is nothing to show that the average of one convict, from the 1st July, 1873, to the 31st December, 1879, rendered it more necessary to build a new gaol between 1873 and 1879 than it had been between 1870 and 1873, when there was the same average of one. So far as I have been able to learn, a new gaol for the safe keeping and accommodation of debtors, short-term prisoners and convicts of Prince County was as much required in 1870 as when the building was actually erected.

"I consider, therefore, that the allowance made for the average of one convict imprisoned in Prince County gaol, from 1st July, 1873, until the 31st December, 1879, and included in the sum of \$16,589.25, the amount recommended by me in settlement of the whole claim of the Prince Edward Island Government, is an adequate indemnity for the gaol accommodation supplied to the convicts of Prince County.

"Respecting the claim of \$12,539.10 for providing gaol accommodation from 1876 till the 31st December, 1879, for criminals sentenced for two years and upward to Queen's County gaol, at Charlottetown, I find that whereas there was only one convict in that gaol on the 1st July, 1875, the number increased to eight by the 31st March, 1876. On the same dates, respectively, the total number of all classes of prisoners in confinement was 16 and 66. Before the enlargement of this gaol only 32 prisoners could be suitably lodged in the eight rooms it contained. Between the 1st July, 1873, and the 31st March, 1876—when, as I have already stated, 66 were confined—the largest number of prisoners on the return is shown on the following dates:—

"38 on the 1st January, 1874; 31 on the 1st July, 1874; and 37 on the 1st January, 1876.

"Thus it will be seen that the increase, both in the number of convicts and other prisoners, from the 1st July, 1875, to the 31st March, 1876, was so great as to compel the Government to make the enlargement, which, like the new gaol at Summerside, had been very much wanted, even before the 1st July, 1873.

"The enlargement added forty more cells to the gaol, thereby giving accommodation to a total of 72 prisoners.

"There were nine convicts transferred from Charlottetown gaol to the Kingston penitentiary on the 15th December, 1879.

"Had the Queen's County gaol afforded sufficient accommodation for the convicts confined there, without any expense for enlargement being incurred, I contend that the amount (\$16,589.25) already paid by the Dominion Government beyond year or nay, amply compensates the Government of Prince Edward Island for every expense connected with the maintenance of all the convicts, including prison lodging, from the 1st of July, 1873, to the 31st of December, 1879. But as the convicts were left in the hands of the Provincial Government to take care of and provide for, as the gaol appears to have met the requirements of the Local Government, until 1876, as the number of convicts and other prisoners suddenly and largely increased, and as the enlargement of Queen's County gaol has been, on the part of the Prince Edward Island Government, avowedly made to meet the demand for increased accommodation

or convicts whose maintenance and safe keeping are the concern of the Dominion Government, I am of opinion that this particular part of the claim is entitled to favorable consideration.

"I deem it proper to add that I have failed to learn whether the Prince Edward Island Government notified the Dominion Government of their intention to claim compensation for the enlargement of Queen's County gaol before the work was commenced."

In regard to the proportion of the expenditure incurred in the extension of Queen's County gaol, which the Dominion should bear, the Inspector reports as follows:—

"I beg leave to report, in view of the fact, as stated in my report, that between the 1st July, 1875, and 31st March, 1876, the number of convicts increased from one to eight, and of the other prisoners from fifteen to fifty eight, and that the total new accommodation provided by the extension was forty cells, and that the gaol, as extended, is the property of the Government of Prince Edward Island, I am of opinion that if the Government of the Dominion should pay to the Government of Prince Edward Island one-fourth of the total expenditure incurred for extension, with interest at 5 per cent., they will be assuming their fair share and proportion of the expenditure."

The undersigned therefore recommends that nothing be paid on account of the Prince County gaol, at Summerside, but that upon the Prince Edward Island Government giving a full discharge of all claims in connection with gaol extension, as aforesaid, there be paid to them the sum of \$4,075.20, being one-fourth of the sum of \$12,539.10, certified as the cost of the extension of Queen's County gaol, and interest hereon for six years, at 5 per cent.; and that this sum of \$4,075.20 be paid out of the "Unforeseen Expenses."

The undersigned further recommends that the substance of this report be communicated to the Government of Prince Edward Island.

A. CAMPBELL, *Minister of Justice.*

DEPARTMENT OF JUSTICE, OTTAWA, 13th November, 1882,

*To His Excellency the Governor General in Council:*

The undersigned has under consideration a despatch from the Lieutenant-Governor of Prince Edward Island, upon the subject of the claim of the Government of that Province against the Government of the Dominion for expenditure incurred in respect of gaol extension and expenditure for the accommodation of penitentiary convicts, from the 1st July, 1873, to the 31st December, 1879, covering an approved Minute of His Executive Council, bearing date 20th October last, on the subject.

The undersigned recommends that the sum of \$4,075.20 be now paid to the Government of the Province of Prince Edward Island, out of "Unforeseen Expenses," according to his former report.

A. CAMPBELL, *Minister of Justice.*

*CERTIFIED COPY of a Report of a Committee of the Honorable the Privy Council, approved by His Honor the Deputy of His Excellency the Governor General in Council on the 18th of November, 1882.*

On a report dated 13th November, 1882, from the Minister of Justice, stating that he has had under consideration a despatch, dated 24th October last, from the Lieutenant-Governor of Prince Edward Island, upon the subject of the claim of the Government of that Province against the Government of the Dominion for expenditure incurred in respect of gaol extension, and expenditure for the accommodation of penitentiary convicts, from the 1st July, 1873, to the 31st December, 1879, covering an approved Minute of His Executive Council, bearing date 20th October last, on the subject.



The Minister recommends that the sum of \$4,075.20 be now paid to the Government of the Province of Prince Edward Island, out of the Unforeseen Expenses, according to his former report.

The Committee submit the above recommendation for approval.

JOHN J. MCGEE.

Hon. Secretary of State.

DEPARTMENT SECRETARY OF STATE, 30th November, 1882.

SIR,—Referring to your despatch of the 24th ultimo, and to the copy of the Minute of your Executive Council, therein enclosed, upon the subject of the claim of your Government against the Government of the Dominion for expenditure incurred in respect of gaol extension, and expenditure for the accommodation of penitentiary convicts, from the 1st July, 1873, to the 31st December, 1879, I have the honor to acquaint you, for the information of your Government, that a sum of \$4,075.20 has been ordered to be paid, as stated in the letter of the Acting Secretary of State, of the 3rd ultimo. An official cheque, No. 0770, for the above amount, payable to the order of the Hon. the Provincial Secretary and Treasurer, is transmitted herewith. I have to request that you will acknowledge the receipt of this letter.

I have the honor to be, Sir, your obedient servant,

HECTOR L. LANGEVIN, *Acting Secretary of State.*

His Honor Lieutenant-Governor Prince Edward Island,  
Charlottetown.

DEPARTMENT SECRETARY OF STATE 21st November, 1882.

SIR,—I have the honor to request that an official cheque may be issued in favor of the Provincial Secretary and Treasurer of Prince Edward Island, for the sum of \$4,075.20, being one-fourth of the sum of \$12,539.10, certified as the cost of the extension of Queen's County gaol, in the Province, and interest thereon for six years, at 5 per cent., the said sum of \$4,075.20 to be paid out of Unforeseen Expenses, in terms of the Order in Council of the 29th September last, and the 18th inst.

I have the honor to be, Sir, your most obedient servant,

EDOUARD J. LANGEVIN, *Under Secretary of State.*

Auditor-General of Canada.

OFFICE OF THE AUDITOR-GENERAL, OTTAWA, 22nd November, 1882.

SIR,—I beg to acknowledge the receipt of your letter of yesterday, applying for a cheque in favor of the Provincial Secretary and Treasurer of the Province of Prince Edward Island, for \$4,075.20, under Orders in Council of 29th September and 18th inst., and in relation thereto have to say that I am sorry I cannot pass the application without a copy of the Report of the Inspector of Penitentiaries.

I have the honor to be, Sir, your obedient servant,

JOHN L. McDOUGALL, *Auditor-General.*

E. J. LANGEVIN, Esq., Under Secretary of State.

DEPARTMENT SECRETARY OF STATE, 25th November, 1882.

SIR,—With reference to your letter of the 22nd inst., I have the honor to transmit to you herewith a copy of a report of the Minister of Justice, in which is embodied a copy of a report of the Inspector of Penitentiaries, upon the claim of the Government of the Province of Prince Edward Island in respect of gaol extension.

I have, &c.,

EDOUARD J. LANGEVIN, *Under Secretary of State.*

The Auditor-General of Canada.

CERTIFIED COPY of a Report of a Committee of the Honorable the Privy Council, approved by His Honor the Deputy of His Excellency the Governor General in Council on the 29th September, 1882.

On a report, dated the 27th September, 1882, from the Minister of Justice, stating that he instructed the Inspector of Penitentiaries to proceed from Halifax to

Prince Edward Island to examine the claim of the Prince Edward Island Government against the Government of the Dominion, for expenditure incurred in respect of gaol extension, and expenditure for the accommodation of penitentiary convicts, from the 1st July, 1873, to the 31st December, 1879.

The Minister quotes extracts from the report of the Inspector of Penitentiaries, and for the reason therein assigned recommends that nothing be paid on account of the Prince County gaol at Summerside, but that upon the Prince Edward Island Government giving a full discharge of all claims in connection with gaol extension, as aforesaid, there be paid to them the sum of four thousand and seventy-five dollars and twenty cents (\$4,075.20), being one-fourth of the sum of \$12,539.10, certified as the cost of the extension of Queen's County gaol, and interest thereon for six years at 5 per cent., and that this sum of \$4,075.20 be paid out of Unforeseen Expenses.

The Committee concur in the foregoing recommendation, and advise that a despatch communicating the substance of this report be sent to the Lieutenant-Governor of Prince Edward Island for the information of his Government.

JOHN J. MCGEE.

Hon. Secretary of State.

DEPARTMENT OF JUSTICE, OTTAWA, 29th November, 1882.

SIR,—I have the honor to enclose Finance Department cheque No. 0770, on the Union Bank of Prince Edward Island, Charlottetown, payable to the order of the Hon. the Provincial Secretary and Treasurer of the Government of Prince Edward Island, for the sum of \$4,075.20, in settlement of the claim of that Government for expenditure incurred in respect of gaol extension, and for the accommodation of penitentiary convicts, from 1st July, 1873, to the 31st December, 1879; and have to request that you will transmit the same to the Lieutenant-Governor of Prince Edward Island.

I am, Sir, your obedient servant,

GEO. W. BURBIDGE, *D. M. J.*

E. J. LANGEVIN, Esq., Under Secretary of State.

GOVERNMENT HOUSE, PRINCE EDWARD ISLAND, 6th December, 1882.

SIR,—I have the honor to acknowledge the receipt of your despatch of the 30th November, ultimo, upon the subject of the claim of my Government against the Dominion Government for expenditure incurred in respect of gaol extension and expenditure for the accommodation of penitentiary convicts, from the 1st July, 1873, to 31st December, 1879, together with an official cheque, No. 0770, for \$4,075.20, payable to the order of the Hon. Provincial Secretary and Treasurer, therein enclosed.

I have the honor to be, Sir, your obedient servant,

T. HEATH HAVILAND, *Lieutenant-Governor.*

Hon. Secretary of State.

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### BRITISH COLUMBIA.—INCREASE OF SUBSIDY. MESSAGE.

DUFFERIN.

The Governor General transmits, for the information of the Senate and House of Commons, copies of a Correspondence which has taken place on the subject of the non-fulfilment of the terms of Union with the Province of British Columbia.

GOVERNMENT HOUSE, February, 1875.



## TERMS OF UNION—BRITISH COLUMBIA.

## SCHEDULE OF DESPATCHES, &amp;c.

- A. Lieutenant-Governor, British Columbia, 26th July, 1873.
- B. Lieutenant-Governor, British Columbia, 25th February, 1874.
- C. Lieutenant-Governor, British Columbia (Tel.), 8th May, 1874.
- 1. Governor General, 26th December, 1873.
- 2. Secretary of State for the Colonies, 15th January, 1874.
- 2½. Minister of Public Works, 19th and 21st February, 1874.
- 3. Governor General, 15th May, 1874.
- 4. Governor General, 15th May, 1874.
- 5. Secretary of State for the Colonies, 18th June, 1874.
- 6. Secretary of State for the Colonies (Tel.), 18th June, 1874.
- 7. Governor General, 9th July, 1874.
- 8. J. D. Edgar, 17th June, 1874.
- 8½. Privy Council, 8th July, 1874.
- 9. Governor General, 9th July, 1874.
- 10. Governor General, 18th July, 1874.
- 11. Governor General, 22nd July, 1874.
- 12, 13. Governor General, 31st July, 1874.
- 14. Governor General, 31st July, 1874.
- 15. Secretary of State for the Colonies, 16th August, 1874.
- 16. Governor General, 21st August, 1874.
- 17, 18. Governor General, 18th September, 1874.
- 19. Secretary of State for the Colonies, 17th November, 1874.
- 20, 21. Governor General, 18th December, 1874.
- 22. Secretary of State for the Colonies, 4th January, 1875.
- 1A. Lieutenant-Governor, British Columbia, 31st March, 1874.
- 2A. Lieutenant-Governor, British Columbia, 18th May, 1874.
- 2½A. Minister Public Works (Tel.), 8th June, 1874.
- 3A. Lieutenant-Governor, British Columbia, 11th June, 1874.
- 4, 5A. Minister Public Works (Tel.), 28th May, 1874.
- 6, 7A. Hon. G. A. Walkem, 13th July, 1874.
- 8A. Hon. G. A. Walkem, 4th July, 1874.
- 9A. Mr. W. Buckingham, 4th July, 1874.

## (A)

BRITISH COLUMBIA, GOVERNMENT HOUSE, 26th July, 1873.

SIR,—I have the honor to enclose, at the request of my Ministers, for submission to His Excellency the Governor General, a Minute of my Executive Council, representing the non-fulfilment by the Dominion Government of the 11th section of the terms of Union of British Columbia with Canada, expressing regret that the railway has not been commenced, and strongly protesting against the breach of a condition of the terms so highly important to this Province.

I have the honor to be, Sir, your obedient servant,

JOSEPH W. TRUTCH.

Hon. J. C. AIKINS, Secretary of State for Canada.

*COPY of a Report of a Committee of the Honorable the Executive Council, approved by His Excellency the Lieutenant-Governor on the 25th day of July, 1873.*

The Committee of Council have had under consideration the non-fulfilment by the Dominion Government of the 11th section of the terms of Union.

The Committee regret that the construction of the railway has not been commenced, and therefore strongly protest against the breach by the Dominion Government of a condition of the terms so highly important to the Province.

The Committee recommend the above for the approval of Your Excellency, and, if sanctioned, respectfully request that a copy thereof be at once forwarded to the Dominion Government.

Certified.

W. J. ARMSTRONG, *Clerk Executive Council.*

BRITISH COLUMBIA, GOVERNMENT HOUSE, 24th November, 1873.

SIR,—I have the honor to enclose herewith a further Minute of my Executive Council, referring to the non-fulfilment by the Dominion Government of the 11th article of the terms of Union of the Province with Canada.

In accordance with the advice of my Ministers, expressed in this Minute, I beg you to be pleased to lay this despatch and its enclosure before His Excellency the Governor General, and to be good enough to bring to His Excellency's attention the previous Minutes of Executive Council on the same subject, which were forwarded for his consideration in my despatches, No. 67 and No. 68, of the 26th July last—the matter of which conveying a protest from this Government on the failure of the Dominion Government to secure the commencement, within two years from the date of Union, of the construction of a railroad from the Pacific towards the Rocky Mountains—as provided in the 11th article of the terms of Union—is yet unanswered, and to move His Excellency to communicate to this Government, in whatever manner he may deem advisable in time to meet the requirements of the desire indicated by my Ministers, the course intended to be taken by the Dominion Government in fulfilment of the 11th article of the terms of Union of this Province with Canada.

I have the honor to be, Sir, your obedient servant,

JOSEPH W. TRUTCH.

Hon. the Secretary of State for Canada.

*COPY of a Report of a Committee of the Honorable the Executive Council, approved by His Excellency the Lieutenant-Governor on the 22nd day of November, 1873.*

The Committee of Council having had under consideration a memorandum from the Hon. the Provincial Secretary, dated the 19th November, 1873, setting forth the facts:—

That the Government of British Columbia has protested against the non-fulfilment by the Dominion Government of the 11th article of the terms of Union.

That beyond the acknowledgment of receipt, no reply has been made by the Dominion Government to the despatch conveying that protest.

That the Government of British Columbia, looking at the actual position of affairs, felt compelled to wait the action of the Parliament of Canada, expected shortly to meet, and which did meet on the 23rd October last past.

That the Parliament of Canada has been prorogued, not to meet until February next, without making provision for the construction of the Pacific Railway.

That the Legislative Assembly of the Province stands called to meet at Victoria on the 18th day of December next, and that the non-fulfilment by the Dominion Government of the terms of Union has caused a strong feeling of anxiety and disarrangement to exist throughout the Province. The Committee advise Your Honor to ask the Dominion Government, through the proper channel, for a decided expression of its policy with regard to the fulfilment of the 11th article of the terms of Union, in order that the information may be given to the Legislature at the opening of the coming Session. And to request that the decision arrived at be communicated to Your Honor by telegram, at the earliest moment possible, and the Committee respectfully suggest that if the present report be sanctioned, Your Honor will be pleased to forward the same to His Excellency the Governor General, and also to draw his attention to the Minutes of Council, each bearing date the 25th July last, on the same subject, one being a protest against the breach of Article 11, and the other a denial of the right of the Dominion Government to a conveyance of several or any of the public lands for railway purposes until the line of railway should be defined.

Certified.

W. J. ARMSTRONG, *Clerk Executive Council.*



## DEPARTMENT SECRETARY OF STATE, 13th December, 1873.

*To His Honor the Lieutenant-Governor of British Columbia, Victoria :*

SIR,—I have the honor to acknowledge the receipt of your despatch, No. 96, of the 24th ultimo, enclosing, with reference to your previous despatches on the subject a further Minute of your Executive Council respecting the non-fulfilment by the Dominion Government of the 11th article of the "terms" of the Union of British Columbia with Canada.

In reply, I have to inform you that the subject will receive the consideration of the Government.

I have, &c.,

*COPY of a Report of a Committee of the Honorable the Privy Council, approved by His Excellency the Governor General in Council on the 23rd December, 1873.*

The Committee have had under consideration the despatch dated 24th November 1873, from the Lieutenant-Governor of British Columbia, enclosing a further Minute of his Executive Council, referring to the non-fulfilment by the Dominion Government of the 11th article of the terms of Union of this Province with Canada, and stating that in accordance with the advice of his Ministers, expressed in this Minute, he requests that this despatch and its enclosure be laid before Your Excellency, together with the previous Minutes of his Executive Council on the same subject, which were forwarded for consideration in his despatches, No. 67 and No. 68, of the 26th of July last, the latter of which, conveying a protest from that Government on the failure of the Dominion Government to secure the commencement, within two years from the date of Union, of the construction of a railroad from the Pacific towards the Rocky Mountains, as provided in the 11th article of the terms of Union, he states is yet unanswered, and requesting Your Excellency to communicate to that Government in whatever manner may be deemed advisable, in time to meet the requirement of the desire indicated by his Ministers, the course intended to be taken by the Dominion Government in fulfilment of the 11th article of the terms of Union of that Province with Canada.

The Committee of Council respectfully recommend that the Lieutenant-Governor of British Columbia be informed that this Government is giving its most earnest consideration to the project for the construction of the Pacific Railway, an outline of which was given in the speech delivered by Mr. Mackenzie at Sarnia, on the 25th November, a scheme which they believe will be acceptable to the whole Dominion including British Columbia, and that they hope to be able, within a short time, to communicate more definitely with that Province on the subject.

Certified.

W. A. HIMSWORTH, *Clerk Privy Council.*

Hon. the Secretary of State, &c., &c., &c.

## DEPARTMENT SECRETARY OF STATE, 20th December, 1873.

SIR,—Adverting to your despatches, Nos. 68 and 96, of the 26th July and 24th November last respectively, I have the honor to transmit to you here, 23rd December, 1873, with, for the information of your Government, a copy of an Order of His Excellency the Governor General in Council, on the subject of the alleged non-fulfilment by the Dominion Government of the 11th article of the terms of Union of the Province of British Columbia with Canada.

I have, &c.

His Honor the Lieutenant-Governor of British Columbia, Victoria.

## BRITISH COLUMBIA, GOVERNMENT HOUSE, 21st January, 1874.

SIR,—I have the honor to acquaint you that I have duly received and laid before my Executive Council your despatch of the 30th ultimo, and the copy therewith enclosed of an Order of His Excellency the Governor General in Council, on the subject

the non-fulfilment by the Dominion Government of the 11th article of the terms of Union of this Province with Canada.

I have the honor to be, Sir, your obedient servant,

JOSEPH W. TRUTCH.

on. D. CHRISTIE, Secretary of State for Canada, Ottawa.

(B.)

BRITISH COLUMBIA, GOVERNMENT HOUSE, 25th February, 1874.

SIR,—I have the honor to enclose herewith a copy of an Address to me from the Legislative Assembly of this Province, requesting me to protest on behalf of the Legislature and people of British Columbia, against the infraction of the 11th article of the terms of Union of British Columbia with Canada, by which the Dominion undertook to secure the commencement, simultaneously, within two years from the date of Union, of the construction of a railway from the Pacific towards the Rocky Mountains, and from such point as may be selected east of the Rocky Mountains towards the Pacific, to connect the seaboard of British Columbia with the railway system of Canada; and to urge the absolute necessity for the commencement of the actual construction of such railway from the seaboard of British Columbia early in the present year.

I also enclose a Minute of my Executive Council, concurring in the prayer of this Address to me, and recommending that a copy thereof be forwarded by me to His Excellency the Governor General, with a request that he will be pleased to order immediate action to be taken thereon.

In accordance, therefore, with the advice of my Ministers, I beg that you will be good enough to lay this despatch and its enclosures before His Excellency the Governor General, and to recommend to His Excellency's favorable consideration the representations and urgent request of the Government and Legislature of British Columbia herein set forth.

I have the honor to be, Sir, your obedient servant,

JOSEPH W. TRUTCH.

on. D. CHRISTIE, Secretary of State for Canada.

*Copy of a Report of a Committee of the Honorable the Executive Council, approved by His Excellency the Lieutenant-Governor on the 23rd day of February, 1874.*

The Committee of Council have had under consideration an Address of the Legislative Assembly of the 9th instant, respecting the breach of the railway clause contained in the terms of Union.

On the 25th July last, and again on the 24th November last, strong protests and representations on the subject of the Address were forwarded to the Dominion Government, but no reply of an assuring character has yet been received by the Province. The result of this silence has been one of painful and growing dissatisfaction.

The Committee feel that a strong but respectful protest against the course pursued by the Dominion Government should be once more forwarded to His Excellency the Governor General.

The Committee recommend that should this their report be approved of, His Excellency the Lieutenant-Governor be respectfully requested to cause a copy of the Address to be forwarded to His Excellency the Governor General, with a request that he will be pleased to order immediate action to be taken thereon.

The Committee advise that their recommendation be approved of.

Certified.

W. J. ARMSTRONG, Clerk Executive Council.



*To His Honor the Hon. Joseph William Trutch, Lieutenant-Governor of the Province of British Columbia.*

‘MAY IT PLEASE YOUR HONOR:—

“We, Her Majesty’s dutiful and loyal subjects, the Legislative Assembly of the Province of British Columbia, in Parliament assembled beg leave to approach Your Honor with our respectful request that Your Honor will be pleased to take into consideration the following resolution of the House.

“Whereas, on the 20th July, 1871, the Colony of British Columbia was united to and became part of the Dominion of Canada, in accordance with certain terms and whereas by section 11 of the said terms the Government of the Dominion undertook to secure the commencement, simultaneously, within two years from the date of Union, of the construction of a railway from the Pacific towards the Rocky Mountains, and from such point as may be selected east of the Rocky Mountain towards the Pacific, and whereas the two years therein referred to expired on the 20th July last, and the construction of the said railway was not then, and has not since been commenced, causing thereby serious loss and injury to the people of the Province, be it therefore resolved, That an humble Address be presented to His Excellency the Lieutenant-Governor, respectfully requesting him to protest, on behalf of the Legislature and people of this Province, against the infraction of this most important clause of the terms of Union, and to impress upon the present Administration the absolute necessity of commencing the actual construction of the railway from the seaboard of British Columbia early in the present year.”

J. ROLAND HETT, *Clerk of the Assembly.*

9th February, 1874.

DEPARTMENT SECRETARY OF STATE, 12th March, 1874.

SIR,—I have the honor to acknowledge the receipt of your despatch, No. 9, of the 25th ult., covering a copy of an Address of the Legislative Assembly of the Province of British Columbia and of a Minute of your Executive Council founded thereon on the subject of the non-fulfilment of the 11th section of the terms of Union of the Province to the Dominion.

Your despatch and its enclosures will be submitted for the consideration of His Excellency the Governor General in Council.

I have, &c.,

EDOUARD J. LANGEVIN, *Under Secretary of State.*

To His Honor the Lieutenant-Governor of British Columbia,  
Victoria.

(C.)

(Telegram.)

VICTORIA, B.C., 8th May, 1874.

It being reported here to-day that the Premier stated in House of Commons on 4th inst. that construction of railway in British Columbia would not be commenced this year, this Government urgently requests to be fully informed immediately, by telegraph, of particulars of policy adopted by Dominion Government respecting railway clause of terms of Union.

JOSEPH W. TRUTCH, *Lieutenant-Governor.*

Hon. the Secretary of State for Canada.

(Telegram)

PRIVY COUNCIL, CANADA, OTTAWA, 8th May, 1874.

To Lieutenant-Governor TRUTCH:—

Mr. Mackenzie simply stated that until the location of the road was ascertained it was impossible to commence construction. That a large surveying force was now at work, and there was no reason to believe that it could be possible to complete the survey before close of year.

(1.)

OTTAWA, 26th December, 1873.

MY LORD,—I have the honor to enclose for your information a copy of a despatch, 1 March, from the Lieutenant-Governor of British Columbia to the Secretary of the Dominion of Canada, forwarding a Minute of his Executive Council, referring to the non-fulfilment on the part of the Government of the Dominion of the 11th article of the terms of Union with that Province, in respect to the construction of the Canada Pacific Railway.

I also beg to transmit copy of a report of a Committee of the Privy Council of 1 December, the Dominion, on the above mentioned despatch, stating that my Government is giving its most earnest consideration to the project for the construction of a railway to the Pacific.

I have the honor, &amp;c.

DUFFERIN.

Earl of KIMBERLEY.

*Copy of a Report of a Committee of the Honorable the Privy Council, approved by His Excellency the Governor General in Council on the 23rd December, 1873.*

The Committee have had under consideration the despatch dated 24th November, 1873, from the Lieutenant-Governor of British Columbia, enclosing a further Minute of his Executive Council, referring to the non-fulfilment by the Dominion Government of the 11th article of the terms of Union of this Province with Canada, and stating that in accordance with the advice of his Ministers, expressed in this Minute, he requests that this despatch and its enclosure be laid before Your Excellency, together with the previous Minutes of his Executive Council on the same subject, which were forwarded for consideration in his despatches, Nos 67 and 68, of the 26th July last, the latter of which conveying a protest from that Government on the failure of the Dominion Government to secure the commencement, within two years from the date of Union, of the construction of a railroad from the Pacific towards the Rocky Mountains, as provided in the 11th article of the terms of Union, he states is yet unanswered, and requesting Your Excellency to communicate to that Government, in whatever manner may be deemed advisable, in time to meet the requirement of the terms indicated by his Ministers, the course intended to be taken by the Dominion Government in fulfilment of the 11th article of the terms of Union of that Province with Canada.

The Committee of Council respectfully recommend that the Lieutenant-Governor of British Columbia be informed that this Government is giving its most earnest consideration to the project for the construction of the Pacific Railway, an outline of which was given in the speech delivered by Mr. Mackenzie at Sarnia, on the 25th November, a scheme which they believe will be acceptable to the whole Dominion, including British Columbia, and that they hope to be able, within a short time, to communicate more definitely with that Province on the subject.

Certified.

W. A. HIMSWORTH, *Clerk Privy Council.*

GOVERNMENT HOUSE, 24th November, 1873.

SIR,—I have the honor to enclose a further Minute of my Executive Council, referring to the non-fulfilment by the Dominion Government of the 11th article of the terms of Union of this Province with Canada.

In accordance with the advice of my Ministers, expressed in the Minute, I beg to be pleased to lay before His Excellency the Governor General, and to be good enough to bring to His Excellency's attention the previous Minutes of my Executive Council on the same subject, which were forwarded for his consideration in my despatches, Nos. 67 and 68, 26th July last, the latter of which, conveying a protest from this Government on the failure of the Dominion Government to secure the commencement, within two years from the date of Union, of the construction of a rail-



road from the Pacific towards the Rocky Mountains, as provided in the 11th article of the terms of Union, is yet unanswered; and to move His Excellency to communicate to the Government, in whatever manner he may deem advisable, in time to meet the requirement of the desire indicated by my Ministers, the course intended to be taken by the Dominion in fulfilment of the 11th article of the terms of Union of this Province with Canada.

I have, &c.,

JOSEPH W. TRUTCH.

*COPY of a Report of a Committee of the Honorable the Executive Council, approved by His Excellency the Lieutenant-Governor on the 22nd day of November, 1873.*

The Committee of Council having had under consideration a memorandum from the Hon. the Provincial Secretary, dated 19th November, 1873, setting forth the facts—

That the Government of British Columbia has protested against the non-fulfilment by the Dominion Government of the 11th article of the terms of Union.

That beyond the acknowledgment of the receipt, no reply has been made by the Dominion Government to the despatch conveying the protest.

That the Government of British Columbia, looking at the actual condition of affairs, felt compelled to await the action of the Parliament of Canada, expected shortly to meet, and which did meet at Ottawa on the 23rd of October last past.

That the Parliament of Canada has been prorogued, not to meet until February next, without making provision for the construction of the Pacific Railway.

That the Legislative Assembly of the Province stands called to meet at Victoria on the 18th day of December next, and,

That the non-fulfilment by the Dominion Government of the terms of Union has caused a strong feeling of anxiety and discouragement to exist throughout the Province.

The Committee advise Your Honor to ask the Dominion Government, through the proper channel, for a decided expression of its policy, with regard to the fulfilment of the 11th article of the terms of Union, in order that the information may be given to the Legislature at the opening of the coming Session.

And they request that the decision arrived at be communicated to Your Honor by telegram, at the earliest moment possible; and the Committee respectfully suggest that if the present report be sanctioned Your Honor will be pleased to forward the same to His Excellency the Governor General; and also draw his attention to the Minutes of Council, each bearing date the 25th day of July last, on the same subject, one being a protest against the breach of Article 11, and the other a denial of the right of the Dominion Government to a conveyance or reserve of any of the public lands for railway purposes until the line of railway should be defined.

Certified.

W. J. ARMSTRONG, Clerk Executive Council.

(2.)

DOWNING STREET, 15th January, 1884.

MY LORD,—I have the honor to acknowledge the receipt of your despatch, No. 301, of the 26th of December, enclosing a copy of a despatch from the Lieutenant-Governor of British Columbia, with a copy of a Minute of his Executive Council, referring to the non-fulfilment, on the part of the Canadian Government, of the 11th article of the terms of Union between that Province and Canada, in respect to the construction of the Pacific Railway.

I have the honor to be, My Lord,

Your Lordship's most obedient, humble servant,

KIMBERLEY.

Governor General the Right Honorable the Earl of Dufferin, K.P., K.C.B.,

&c., &c., &c.

(2½.)

OTTAWA, 19th February, 1874.

MY DEAR SIR,—In your conversations with leading men in and out of the Government in Columbia, it will be well to let them understand that in proposing to take longer time than is provided in constructing the railway we are actuated solely by an urgent necessity. That we are as anxious as possible to reach the object sought by all—the early construction of the road.

We are, however, advised by our engineers that it is a physical impossibility to construct the road in that time—that is, within the time provided in the terms of the Union, and that any attempt to do so can only result in very great useless expense and financial disorder. You can point out that the surveys for the Intercolonial Railway were begun in 1864, and the work carried on uninterruptedly ever since, and although the utmost expedition was used, it will require still eighteen months to complete it. If it requires so much time in a settled country to build 500 miles of railway, with facilities everywhere for procuring all supplies, one may conceive the time and labor required to construct a line five times the length, through a country ill but totally unsettled.

You will point out that it is because we desire to act in good faith towards Columbia that we at once avow our inability to carry out the exact conditions of the terms of Union. That it would have been an easy matter for us to have said nothing about it, or carelessly to have assumed the task of finishing the road before the month of July, 1881. Acting from a desire to deal frankly and honestly with Columbia, we considered what we could do to afford, at the earliest possible date, some means of travel across the continent, preliminary to and in advance of a complete line of railway.

You will point out that, as part of the Dominion, it is as much in their interest as in ours to pursue a careful, judicious policy; also, that in assuming a disposition, in spite of all reason, to insist on impossibilities, they are only setting at defiance all the best of the Dominion and the laws of nature.

That by insisting on the “pound of flesh,” they will only stimulate a feeling on the part of people generally to avoid, in the future, giving anything but the “pound of flesh.”

You will remember that the Dominion is bound to reach the seaboard of the Pacific only, not Victoria or Esquimalt, and you will convey an intimation to them that any further extension beyond the head waters of the Bute Inlet, or whatever other portion of the sea-waters may be reached, may depend entirely on the spirit shown by themselves in assenting to a reasonable extension of time or a modification of the terms originally agreed to.

You will also put them in remembrance of the terms they themselves proposed, which terms were assented to by their Local Legislature, and point out that it was only the insane act of the Administration here which gave such conditions of Union to Columbia; that it could only have been because that Administration sought additional means of procuring extensive patronage immediately before the general election, and saw in coming contests the means of carrying the elections, that the Province obtained on paper terms which at the time were known to be impossible of fulfilment.

If you find any favorable disposition among the leading men of the Province towards affording a generous consideration to the obvious necessity of giving a sufficient time for pushing the road through Columbia, you will endeavor to ascertain what value they attach to such consideration.

You will point out that the action of this Government in the matter of the graving dock, and the agreement to advance in cash the balance of the amount of debt with which Columbia was allowed to enter the Confederation, showed that it was not considering itself bound to the exact terms of Union, but was willing to go beyond them when the necessities of the Province seemed to demand such action, and that we not unnaturally expect similar action on the part of the Province.



In the event of your finding that there is a willingness to accept a proposition to extend the time for building the road, you will endeavor to obtain some proposition from them, directly or indirectly, and communicate this to us by cipher telegraph at once.

If, on the other hand, they make or indicate no proposition, you will telegraph to us what you think would be acceptable, but wait a reply before making any proposition.

In the event of the leading men evincing a disposition to negotiate, you will endeavor to secure something like a combination of parties to sanction any proposition likely to be generally accepted.

It will be well that you should take some means of ascertaining the popular view of the railway question. This may be done by mingling among the people and allowing them to speak freely while you listen, remembering, in taking impressions, that your audience may be impressed by special local considerations rather than the general question.

It will be well not to confine yourself to the vicinity of the Government offices or Victoria, but to cross to the mainland and meet with the people at Westminster and other towns and villages on the lower reaches of the Fraser.

It may be that you will find there is a disposition manifested to negotiate at Ottawa, in which case you will advise us of the existence of such a desire.

You will take special care not to admit in any way that we are bound to build the railway to Esquimalt or any other place on the island; and while you do not at all threaten not to build there, to let them understand that this is wholly and purely a concession, and that its construction must be contingent on a reasonable course being pursued regarding other parts of the scheme.

It may be that the Local Government will desire to constitute the members for the Commons a delegation to discuss matters here; if this be the case, you will still remain, until we shall communicate with you.

You will take every opportunity of noting the various matters connected with Dominion business, in accordance with instructions that will be sent.

I am, my dear, Sir, yours faithfully,

A. MACKENZIE.

OTTAWA, 19th February, 1874.

DEAR SIR,—Allow me to introduce Mr. James D. E. Edgar, of Toronto, who visits your Province on public business for the Government. Mr. Edgar will confer with yourself and other members of the Government of Columbia on the question lately agitating the public mind in Columbia, and will be glad to receive your views regarding the policy of the Government on the construction of the railway.

But for the meeting of Parliament in four weeks, some members of the Government would have visited your Province, but Mr. Edgar, as a public man, is well known here and fully understands the questions he will discuss with you.

I need not, I am sure, assure you of my own sincere desire to do all I can, not only to act justly but generously to Columbia.

It is in your interest and is the interest of the Dominion that we should both act with a reasonable appreciation of difficulties which are unavoidable, and devise means to remove them or overcome them.

We have induced Mr. Edgar to go to Columbia, as we thought you would prefer a full conference with an agent to a tedious and possibly unsatisfactory correspondence.

I have the honor to be yours truly,

A. MACKENZIE.

Hon. GEO. A. WALKER, Attorney-General, Victoria.

21st February, 1874.

SIR,—The bearer is James D. Edgar, Esq., Barrister, Toronto, who visits Columbia as the agent of the Dominion Government, to consult with your Government with

reference to the late agitation concerning an extension of time for the construction of the Pacific Railway beyond that promised in the terms of Union.

Mr. Edgar will explain to Your Excellency our anxiety to do everything in our power to meet the views of your people.

He will be glad to receive your suggestions concerning matters which may require attention.

I am, Sir, very respectfully, your obedient servant,

A. MACKENZIE.

His Excellency Lieutenant-Governor J. W. TRUTCH,  
Victoria, British Columbia.

GOVERNMENT HOUSE, OTTAWA, 15th May, 1874.

MY LORD,—I have the honor to enclose for Your Lordship's information a news-Globe, 13th and paper report of the speech delivered by Mr. Mackenzie on the 12th 14th May. instant, when introducing resolutions for a Bill to provide for the Globe, 12th May. construction of the Pacific Railroad, together with a summary of the Globe, 13th May. speech, and an article from the *Globe* newspaper of the 12th instant, explanatory of the Government project.

I have, &c.

DUFFERIN.

The Right Hon. the Earl of Carnarvon, &c., &c., &c.

GOVERNMENT HOUSE, OTTAWA, 15th May, 1874.

MY LORD,—In continuation of my despatch, No. 130, of this day's date, I have May 14. For ar- the honor to enclose an extract from the *Toronto Mail*, an Opposition icle see Scrap paper, criticising the scheme of the Government. Book, page 40.

I have, &c.

DUFFERIN.

The Earl of Carnarvon.

DOWNING STREET, 18th June, 1874.

MY LORD,—The intimation which I have received by telegraph of the departure from British Columbia of the President of the Council and Attorney-General of that Province, sent to this country for the purpose of appealing against the course proposed by your Government, and sanctioned by the Dominion Parliament, in regard to the Pacific Railway, together with the reports of the proceedings in that Parliament, and other informal communications, have led me to apprehend the difference of opinion which has unfortunately occurred may not only prove difficult to adjust, but may not impossibly, if it remains long unsettled, give rise to feelings of dissatisfaction and to disagreements, the existence of which within the Dominion would be a matter for serious regret.

2. It is not my wish, nor is it a part of my ordinary duty, to interfere in these questions. They appear to me to be such as it should be, within the province and competency of the Dominion Government and Legislature to bring to a satisfactory solution, and you will readily understand that Her Majesty's Government would be very reluctant to take any action which might be construed as expressing a doubt of the anxiety of the Dominion Government and Parliament to give the fullest consideration to such representation as may be made on the part of British Columbia, and to deal in the fairest and most liberal spirit with what may be established as being the just claims of that Province.

3. At the same time, I am strongly impressed with the importance of neglecting no means that can properly be adopted for effecting the speedy and amicable settlement of a question which cannot, without risk and obvious disadvantage to all parties, remain the subject of prolonged, and it may be, acrimonious discussion, and it has occurred to me that as in the original terms and conditions of the admission of British Columbia into the Union certain points (as, for example, the amount of land to be



appropriated for the Indians, and the pensions to be assigned to public officers deprived of employment) were reserved for the decision of the Secretary of State, so in the present case it may possibly be acceptable to both parties that I would tender my good offices in determining the new points which have presented themselves for settlement. I accordingly addressed a telegram to you yesterday, to the effect that I greatly regretted that a difference should exist between the Dominion and the Province in regard to the railway, and that if both Governments should unite in desiring to refer to my arbitration all matters in controversy, binding themselves to accept such decision as I may think fair and just, I would not decline to undertake this service.

4. The duty which, under a sense of the importance of the interests concerned, I have thus offered to discharge, is, of course, a responsible and difficult one, which I could not assume unless by the desire of both parties, nor unless it should be fully agreed that my decision, whatever it may be, shall be accepted without any question or demur. If it is desired that I should act in this matter, it will be convenient for each party to prepare a statement, to be communicated to the other party, and after a reasonable interval a counter statement; and that on these written documents I should, reserving, of course, to myself, the power of calling for any other information to guide me in arriving at my conclusion, give my final decision.

5. I request you to transmit a copy of this despatch, with the utmost possible speed, to the Lieutenant-Governor of British Columbia. I have communicated to Mr. Sproat, the agent for British Columbia, for transmission by telegraph to the Government of that Province the purport of the telegram which I addressed to you yesterday, in order that my offer may come before both parties as soon as possible.

I have, &c.,

CARNARVON.

Governor General the Right Hon. the Earl of Dufferin, K.P., K.C.B.,  
&c., &c., &c.

*From Earl of Carnarvon to Governor General.*

Received in OTTAWA, 18th January, 1874.

I regret extremely the difficulty between Dominion of Canada and British Columbia as to terms of Union in connection with Pacific Railway. Her Majesty's Government are willing to give their good offices in adjusting the matter. If both parties unite in referring all matters of difference to my arbitration, binding themselves to abide by such award as I may deem just and fair, I will not refuse to undertake the duty.

QUEBEC, 9th July, 1874.

MY LORD,—I have the honor to acknowledge the receipt of Your Lordship's despatch, No. 110, of the 18th of June, in which you refer to a misunderstanding that has occurred between the Dominion Government and that of British Columbia, and in which you have made so considerably a suggestion in regard to the settlement of the dispute.

In accordance with your instructions, I have forwarded a copy of the despatch to the Lieutenant-Governor of British Columbia, and I have also communicated it to my Government.

There has not yet been time for them to acquaint me with their view in regard to the extremely considerate and friendly suggestions Your Lordship is good enough to convey, but in connection with subject matter to which the despatch under acknowledgment refers, I have the honor to enclose, for Your Lordship's information, a memorandum of a Committee of Council on the points in dispute  
8th July, 1874. between the Dominion Government and the Government of British Columbia, together with a report by Mr. Edgar of his mission to that Province, accompanied by copies of his correspondence with Mr. Walkem, the Attorney-General of British Columbia.

I have, &c.,

The Earl of Carnarvon.

DUFFERIN.

*To the Honorable the Secretary of State for Canada :*

TORONTO, 17th June, 1874.

SIR,—I have the honor to report that, in the month of February last, I was requested by the Canadian Government to proceed to the Province of British Columbia on their behalf. My mission was for the purpose of ascertaining the true state of feeling in the Province upon the subject of certain changes which were deemed necessary in the mode and in the limit of time for the construction of the Canadian Pacific Railway, as well as to attend to any other business required, and to act as Canadian agent in bringing about some such feasible arrangement as might meet the general approval of the Local Government and the people of British Columbia, in place of the original conditions respecting the commencement and completion of the railway that are contained in the 11th article of the terms of Union. In that clause the language referring to railway construction is as follows:—

“The Government of the Dominion undertake to secure the commencement, simultaneously, within two years from the date of Union, of the construction of a railway from the Pacific towards the Rocky Mountains, and from such point as may be selected east of the Rocky Mountains towards the Pacific, to connect the seaboard of British Columbia with the railway system of Canada; and, further, to secure the completion of such railway within ten years from the date of the Union.”

The views and policy of his Government upon the question of the Canadian Pacific Railway were communicated to me in several interviews by the Hon. Mr. Mackenzie, and I also had the benefit of conversations upon the same subject with many members of the Administration before I left Ottawa. On the eve of my departure I received from Hon. Mr. Mackenzie certain further instructions and directions for my guidance which were contained in the following letter:—

OTTAWA, 19th February, 1874.

MY DEAR SIR.—In your conversations with leading men in and out of the Government in Columbia, it will be well to let them understand that in proposing to take longer time than is provided for constructing the railway we are actuated solely by an urgent necessity; that we are as anxious as possible to reach the object sought by all, viz., the construction of the road.

We are, however, advised by our engineers that it is a physical impossibility to construct the road in that time—that is, within the time provided by the terms of Union, and that any attempt to do so can only result in very great useless expense and financial disorder. You can point out that the surveys for the Intercolonial Railway were begun in 1864, and the work carried on uninterruptedly ever since, and, although the utmost expedition was used, it will still require eighteen months to complete it.

If it required so much time, in a settled country, to build 500 miles of railway, with facilities everywhere for procuring all supplies, one may conceive the time and labor required to construct a line five times that length, through a country all but totally unsettled.

You will point out that it is because we desire to act in good faith towards Columbia that we at once avow our inability to carry out the exact conditions of the terms of Union; that it would have been an easy matter for us to say nothing about, or carelessly to have assumed the task of finishing the road before the month of July, 1881.

Acting, however, from a desire to deal frankly and honestly with British Columbia, we considered what we could do to afford, at the earliest possible date, some means of travel across the continent, preliminary to and in advance of a complete line of railway.

You will point out that, as part of the Dominion, it is as much in their interests as in ours to pursue a careful, judicious policy; also, that in assuming a disposition, in spite of all reason, to insist on impossibilities, they are only setting at defiance all the rest of the Dominion and the laws of nature. That by insisting on “the pound of



flesh" they will only stimulate a feeling on the part of people generally to avoid, in future, giving anything but "the pound of flesh."

You will remember that the Dominion is bound to reach the "seaboard of the Pacific" only, not Victoria or Esquimalt, and you will convey an intimation to them that any further extension beyond the waters of Bute Inlet, or whatever other portion of the sea waters may be reached, may depend entirely on the spirit shown by themselves in assenting to a reasonable extension of time, or a modification of the terms originally agreed to.

You will also put them in remembrance of the terms they themselves proposed, which terms were assented to by their Local Legislature, and point out that it was only the insane act of the Administration here which gave such condition of Union to Columbia; that it could only have been because that Administration sought additional means of procuring extension of patronage immediately before the general election, and saw, in coming contracts, the means of carrying the elections, that the Province obtained on paper, terms which at the time were known to be impossible of fulfilment.

If you find any favorable disposition among the leading men of the Province towards affording a generous consideration to the obvious necessity of giving a sufficient time for the pushing the road through Columbia, you will endeavor to ascertain what value they attach to such consideration. You will point out that the action of this Government in the matter of the graving dock, and the agreement to advance in cash the balance of the amount of debt with which Columbia was allowed to enter the Confederation, showed that it was not considering itself bound to the exact terms of Union, but was willing to go beyond them when the necessities of the Province seemed to demand such action, and that we not unnaturally expect similar action on the part of the Province.

In the event of your finding that there is a willingness to accept a proposition to extend the time for the building of the road, you will endeavor to obtain some proposition from them, directly or indirectly, and communicate this to us by cypher telegraph at once.

If, on the other hand, they make or indicate no proposition, you will telegraph to us what you think would be acceptable, but wait a reply before making any proposition.

In the event of the leading men evincing a disposition to negotiate, you will endeavor to secure something like a combination of parties to sanction any proposition likely to be generally acceptable.

It will be well that you should take some means of ascertaining the popular view of the railway question. This may be done by mingling among the people, and allowing them to speak freely while you listen, remembering, in taking impressions, that your audience may be impressed by special local considerations rather than general questions.

It will be well not to confine yourself to the vicinity of the Government offices, or Victoria, but to cross to the mainland, and visit the people at Westminster, and other towns and villages on the lower reaches of the Fraser. It may be that you will find there a disposition manifested to negotiate at Ottawa, in which case you will advise us of the existence of such a desire. You will take special care not to admit in any way that we are bound to build the railway to Esquimalt, or to any other place on the island, and while you do not at all threaten not to build there, to let them understand that this is wholly and purely a concession, and that its construction must be contingent on a reasonable course being pursued regarding other parts of the scheme.

It may be that the Local Government may desire to constitute the members for the Commons a deputation to discuss matters here; if this be the case, you will still remain until we shall communicate with you.

You will take every opportunity of noting the various matters connected with the Dominion business, in accordance with instructions that will be sent.

I am, my dear Sir, yours faithfully,

A. MACKENZIE.

J. D. EDGAR, Esq., Toronto.

When I received the above letter I lost no time starting upon my journey, and leaving Toronto 23rd February, I arrived upon 9th March at Victoria, the capital of British Columbia. On the day that I landed in Victoria the Hon. Mr. Walkem, leader of the Local Government, called upon me, and I made him aware of the object of my mission. Upon the same day I handed him Hon. Mr. Mackenzie's letter of 16th February (Appendix A), also informing him that I had letters from His Excellency the Governor General to his Honor the Lieutenant-Governor, which were next day delivered. Very soon afterwards Mr. Walkem introduced me to his colleagues as the representative of the Canadian Government.

Upon my arrival in the Province I found that an intense interest was manifested by all the population in whatever related to the question of railway construction. It is difficult at a distance to conceive the importance that is attached to the railway by the British Columbians. On account of the vast construction expenditure, and the sparseness of the population who would participate in the immediate benefits derivable from it, an interest of a direct and personal character is felt upon this subject. The entire white population of the Province, according to the census of 1870, was 8,576 souls. Of this number there were upon the mainland 3,401, and upon Vancouver Island, 5,175. The white population to-day has probably increased to 10,000. With the exception, perhaps, of the gold miners, who are confined to the mainland, there is no class in the Province that would not derive immediate personal advantages from the railway construction expenditure. Those in business, in trade, and in agriculture, would feel the stimulus instantly, while those of means and leisure would be enriched by the increase in the value of their property. The circumstances of the early settlement of the Province gave it a population of peculiar intelligence; and the fact that most of the rougher kind of labor is performed by Chinamen and Indians, has afforded, in an especial way, to the people of Victoria, the provincial metropolis, leisure and opportunity for the fullest discussion of their great question of the day. Their keen intelligence and zeal in public affairs suggests a parallel in the history in some of the minor States of ancient Greece or Italy. Although a strong feeling of jealousy of the greatness of Victoria undoubtedly exists in parts of the mainland, yet that town is the chief centre of public opinion. Its population is almost equal to the whole of the rest of the Province, and in its midst are the headquarters of Government, of the courts, of the churches, and of trade. Within three miles there is the fine harbor of Esquimalt, with its arsenal and British ships of war.

To Victoria the question of the location of the railway terminus is all-important, because there is nothing in the terms of Union which settles that there shall be any portion of the line upon Vancouver Island, a revocable Order in Council, and the intrinsic merits claimed for the island location are the grounds upon which they hoped to secure the terminus at Esquimalt. When it became well understood that the surveys were not yet so far advanced as to warrant the Canadian Government in fixing the permanent route and western terminus of the railway, it was strongly urged upon me by many persons in Victoria that the construction of the line of railway should be at once undertaken by the Dominion from the harbor of Esquimalt to the port of Nanaimo, on the east coast of Vancouver Island, a distance of about seventy miles. It was argued that at whatever point upon the mainland the Pacific Railway might be brought to the coast, a steam ferry thence to Nanaimo might be established, and would render their portion of railway a means of connection with Esquimalt, which is said to be the finest harbor upon the shores of the Northern Pacific. It was also insisted that from its opening there would be a considerable and profitable traffic over this line in the carriage of coal to Esquimalt for the mines at Nanaimo and Departure Bay.

Moreover, it was contended that in view of the admitted impossibility to complete the construction of the trans-continental railway within the time originally limited, some substantial concessions should be made to the people of the island, as compensation for their disappointment and prospective losses.

A contention similar to the last mentioned one was also pressed upon me warmly by leading men of the mainland, who considered that they were now entitled to have



some definite understanding arrived at, not so much in regard to the ultimate completion, as to the early, vigorous and continuous construction of the railway upon the mainland. It was represented that those engaged in agriculture and stock raising in the interior parts of the country were almost without a market for their produce, partly because the gold miners were leaving in considerable numbers, and partly for the reason that in anticipation of railway construction they had raised more crops than usual. The great distance to the coast, and the stupendous mountain ranges to be traversed, prevented them from getting the bulky products of their land to the island markets of Victoria or Nanaimo. Being familiar with the difficulties to be met with by engineers in seeking for a railway route through their country, the mainland people were not disposed to blame the Dominion for insisting upon further time and surveys before fixing the location. Their immediate necessities also induced them to attach more importance to the securing of an early and steady expenditure amongst themselves than to the maintaining of any arbitrary time limit for completion, while they also expressed their perfect appreciation of the agreement that a vigorous expenditure of itself involves an accomplishment of the work within a reasonable period.

In the provincial constitution of British Columbia the working of representative institutions and responsible parliamentary government may be studied in a simple form. The system is elaborated out of, perhaps, slender materials, but has been courageously fashioned after the model of the British constitution. The people are represented by a House of twenty-five members, of whom thirteen are elected from the mainland and twelve from the island. In this House sit the Ministers of the Crown, four in number, two being island members and two from the mainland. The deliberations are presided over by a Speaker, and due respect for the dignity of the Assembly is maintained by a Sergeant-at-Arms.

Although I had not the fortune to be in the country when the House was in session, I was able to discover, among the gentlemen who hold seats, a considerable number of much experience, and somewhat above the average intelligence of Provincial legislators. To those accustomed to older Canadian constituencies, each with populations varying usually from fifteen to thirty thousand souls, it is somewhat novel to see the smallness of electoral districts in British Columbia. Yet it would be quite unfair to fix the number of electors as the standard of the intelligence of the representative, for one of the ablest of the Provincial Ministers, after an exciting contest at the last election, succeeded in polling but sixteen votes in his constituency, whilst his opponent suffered a decisive defeat, having polled exactly half that number.

The Session of the Provincial Legislature had terminated on the 2nd March, a week before my arrival, and the House had unanimously agreed to a resolution upon the subject of the eleventh, or railway clause, in the terms of Union with the Dominion, which was calculated to have an important bearing upon all negotiations with the Local Government for a change in that clause. The language of the resolution is as follows:—"That in view of the importance of the railway clause of the terms of Union between Canada and British Columbia being faithfully carried out by Canada, this House is of opinion that no alteration in the said clause should be permitted by the Government of this Province until the same has been submitted to the people for endorsement." When I ascertained that this resolution had been passed, that the Provincial Parliament had yet more than a year to run and that the Ministry had in it a sufficient working majority, it at once became apparent that any proposals to alter the railway clause could possess few attractions in the eyes of the party in power. While prepared to admit that the Province would be most reasonable, and would not be disposed to insist at all upon the original time limit for completion, yet members of the Administration, looking at it from their own point of view, very naturally urged that this was a peculiarly unfortunate time to seek any alterations. I also discovered that the first Act of the Provincial Statute Book of 1873-4 contained elements of danger to the continued harmony between the General and Local Governments. This Act became necessary to authorize the Provincial to receive from the Dominion Government the large sums of money, both for the Esquimalt graving

dock and for other public works, which the Local Government petitioned the Dominion Government to advance, and which requests the latter complied with as concessions to the Province in excess of what could be claimed under articles two and twelve of the terms of Union. A saving clause or proviso was inserted in this Act, containing very strong language concerning the rights and wrongs of British Columbia as regards the railway, and adding:—"This Act shall not have any force or effect unless the above proviso be inserted, in the same words, in any Act of Parliament of Canada which may be passed for the purposes of this Act."

A profound anxiety was at once manifested by Mr. Walkem and his colleagues to ascertain through me if the Canadian Ministry would propose to Parliament to adopt the words of this proviso. When I sought to get from them some proposals or suggestions as to their terms of the concessions that should be made to British Columbia, in consideration of a change in the railway terms, I was continually met by an urgent inquiry as to what was to be done about that clause. As early as the 16th of March I was informed by telegram that the Dominion Government would not adopt the language of the proviso in their Bill, but would make the concessions as originally agreed, and without conditions affecting the railway terms. The announcement of this was received by the Local Ministers with alarm and disappointment, and it afterwards became still more difficult to get a satisfactory discussion of an alteration of railway terms with any of them. Orders in Council were passed by the Local Government upon the subject, and I was continually urged to press upon the Dominion Government the anxiety of the Provincial Ministry for the adoption of the saving clause, and I took many opportunities of doing so. This pressure continued without intermission until the 25th of April, when, at the request of Mr. Walkem, I sent a despatch to Mr. Mackenzie, on behalf of the former, and in his own language, urging the adoption of the saving clause.

When, according to instructions, I endeavored to ascertain from Local Ministers if their unwillingness to submit proposals as to railway to the people arose entirely from our refusal to adopt the saving clause, I found that even such a concession would not induce them to bring about an appeal to the people.

According to instructions received, it was my aim, from the very first, to take every means of ascertaining the popular view of the railway question. Indeed, when it was understood that the Canadian Government had delegated me upon this and general matters, the politeness and hospitable attentions of all classes soon rendered it an easy matter to form some estimate of public opinion. All were as willing to communicate as I was anxious to receive their various views and information. I paid two brief visits to the mainland, meeting with people of New Westminster, Hope, Yale, and some few other places, and I was so fortunate as to meet, at one time or another, nearly all the members of the Local Legislature, and many other persons of local prominence from the mainland.

The Lieutenant-Governor and the Hon. Captain Hare, senior naval officer at Esquimalt, kindly afforded me an opportunity of visiting the east coast of the island, in company with them, on board H.M.S. "Myrmidon."

In discussing the question of the time for the completion of the railway, I elicited a very general expression of opinion that there was no great importance attached to any particular period for completion, but that serious disappointment had been felt at the failure to commence the work of actual construction by July of last year. Much anxiety was felt for an announcement of the policy of Canada upon the subject of the railway, and an extreme desire prevailed to have definite understanding arrived at as to what the Province could expect in place of the original railway terms, which were all but universally admitted to be incapable of literal fulfilment.

The public agitation in Victoria, of February last, might have been mistaken for a movement to insist upon, "The terms, the whole terms, and nothing but the terms," or to seek some disloyal alternative. Indeed, a portion of the community, who did not sympathize with the excitement, so interpreted it. Yet I was assured by the leaders of that agitation that no such motives or intentions influenced them.



The people had been aroused, by what were deemed suspicious circumstances, to fear that efforts would be made, or were being made, to secure from the Local Government an agreement to change the railway terms without a submission to the people who had directly sanctioned the original terms. The local contradictions had scarcely been accepted as satisfactory upon this point, but my denial of it on the part of the Ottawa Government, coupled with the announcement that the latter would not seek to secure any alteration without the sanction of the people of the Province, set that difficulty very much at rest.

Notwithstanding the attitude that was assumed by the Provincial Government against the submission of a proposal, or the opening of negotiations to alter the railway terms, it was quite apparent that popular feeling all over the Province was strongly in favor of some definite settlement being arrived at upon the question. The notorious and admitted failure of the original scheme of railway construction had unsettled the business of the country, and the whole community, including even those who would have been the most exacting in bargaining with Canada for new terms, were anxious to have a proposal made and to have a full opportunity for discussing and accepting or rejecting it.

I felt, therefore, that I should take an early opportunity of arriving at the views of the Local Government upon the subject. I was given an appointment by Mr. Walkem, in the first week of April, and then confidentially discussed with his Ministry the whole question of alteration in the railway terms. I may mention that upon this occasion no difficulty was raised as to my authority to represent the General Government.

At this time there was considerable irritation displayed by Ministers upon the subject of the saving clause, before alluded to; they would not admit any necessity for a present settlement of the railway question, but still persisted that next year, or some future time, should be awaited for the making of any such propositions; and they were particularly careful to avoid saying what concessions, in their opinion, would be acceptable to the Province in lieu of the original terms. The attitude of the Local Ministry rendered it more important than ever that the popular feeling should be accurately ascertained, and it was my aim to discover it by unreserved discussion with as many men as possible of the different parties and localities.

It was now quite apparent that the Local Ministers were determined to be obstructive, and it became all the more necessary to satisfy the people in so far as their views were found to be reasonable. After receiving from me the best information I could supply, Hon. Mr. Mackenzie directed me to make the Provincial Government certain proposals, which were so arranged as to give large and certain advantages to the mainland equally with the Island; and on the 6th May I was instructed to put them formally in writing and give them to the Local Premier and a copy to the Lieutenant-Governor. Upon the 8th May I had prepared, and I read over to Mr. Walkem, the letter of that date, containing the proposals (Appendix B), and upon the following day I handed it to him, and furnished a copy to His Honor the Lieutenant-Governor as directed, accompanied with a short note (Appendix C). I had made arrangements for another visit to the mainland to ascertain something more of the feeling there, while the Provincial Government were having the proposals under consideration. Before sailing for New Westminster, however, I received the letter from Mr. Walkem (Appendix D), in which he raised objections to recognizing me as the agent of the General Government. It struck me as so peculiar a communication on Mr. Walkem's part, after he and his colleagues had recognized me as such agent almost every day for two months, that I felt it would be better not to be too hasty in accepting that as a serious and final reply to the proposals, but to await the lapse of a few days, to be occupied by me in visiting New Westminster, Burrard's Inlet, Yale and some other places on the mainland. Upon returning to Victoria, on Saturday, 16th May, I was waited upon by a deputation of leading gentlemen connected with both sides of local politics, who informed me that it had been announced in the House of Commons at Ottawa, by Hon. Mr. Mackenzie, that proposals had been made on behalf of his Ministry, through myself, to the Provincial

Government, as to the alteration of the railway terms; and yet that it was denied by members of the Local Ministry, and by their newspaper organ, that any proposals whatever had been made. They represented that the popular feeling was very much excited upon the subject, and that the people were anxious to have the earliest opportunity of considering and deciding upon the question, and I was asked to inform them whether such proposals had been made. Upon receiving an affirmative reply they took their leave, and shortly afterwards, as the intelligence spread, considerable excitement was manifested at the treatment the proposals were receiving at the hands of Local Ministers.

In order to afford Mr. Walkem another opportunity to reply to the proposals, or to consider them, if he were at all desirous of doing so, I again addressed him, and in a letter of 18th May (Appendix E) endeavored to point out that he could not ignore the communication of 8th May, and reiterated the request, on behalf of the Government of Canada, that the proposals should receive the consideration to which they were entitled. In reply to this I received the letter (Appendix F), and upon the 19th May, under directions from Hon. Mr. Mackenzie, I left Victoria upon my return journey, without any further official communication with the Local Ministry.

I may be permitted to mention that His Honor the Lieutenant-Governor, throughout the whole of my visit, was always most obliging in giving me, upon all public questions, very full information, which his large experience in the Province rendered of the highest value. He also manifested an earnest wish to see a definite and amicable settlement of the railway question speedily arrived at between the General and Provincial Governments.

In accordance with the direction contained in the last paragraph of Hon. Mr. Mackenzie's letter to me of the 19th February, I took every opportunity, during my stay in British Columbia, of noting various matters connected with Dominion business and interests. In several despatches to Heads of Departments, as well as in verbal communications with Ministers, I have already called attention to some important subjects of that kind, and I propose to have the honor of communicating, in separate reports or despatches, upon several other points of interest and importance connected with Dominion affairs in the Pacific Province.

I have the honor to be, Sir, your obedient servant,

J. D. EDGAR.

#### APPENDIX A.

OTTAWA, 16th February, 1874.

DEAR SIR,—Allow me to introduce Mr. James D. Edgar, of Toronto, who visits your Province on public business for the Government. Mr. Edgar will confer with yourself and other members of the Government of Columbia on the questions lately agitating the public mind in Columbia, and will be glad to receive your views regarding the policy of the Government on the construction of the railway.

But for the meeting of Parliament in four weeks, some member of the Government would have visited your Province, but Mr. Edgar, as a public man, is well known here, and fully understands the questions he will discuss with you.

I need not, I am sure, assure you of my sincere desire to do all I can to not only act justly but generously to Columbia.

It is in your interest, and in the interest of the Dominion, that we should both act with a reasonable appreciation of difficulties which are unavoidable, and devise means to remove them or overcome them.

We have induced Mr. Edgar to go to Columbia as we thought you would prefer a full conference with an agent to a tedious and possibly unsatisfactory correspondence.

I have the honor to be yours truly,

A. MACKENZIE.

Hon. G. A. WALKEM, Attorney-General, Victoria, British Columbia.



## APPENDIX B.

VICTORIA, B.C., 8th May, 1874.

SIR,—I have the honor to inform you that I have been instructed by the Premier of Canada to make you aware of the views of his Administration upon the subject of the construction of the Canadian Pacific Railway, in order that British Columbia may have full opportunity of considering and deciding upon a question so closely affecting her material interests. The scheme originally adopted for the carrying out of this work has, for a variety of reasons, proved unsuccessful, and to devise a plan for a more certain accomplishment has been the aim of the Dominion Cabinet. The chief difficulty to be encountered in attempting to carry out the existing system of construction is to be found in the stipulation as to completion of the railway by the month of July, 1881. In proposing to take a longer time for constructing the railway the Canadian Government are actuated solely by an urgent necessity. They are advised by their engineers that the physical difficulties are so much greater than was expected that it is an impossibility to construct the railway within the time limited by the terms of Union, and that any attempt to do so can only result in wasteful expenditure and financial embarrassment. It is because they desire to act in good faith towards British Columbia that the Canadian Ministry at once avow the difficulty of carrying out the exact terms of Union, whilst they have no desire to avoid the full responsibility of Canada to complete the railway by all means in her power and at the earliest practicable date.

The eleventh article of the terms of Union embodies the bold proposition that the railway should be commenced in two and completed in ten years from the date of Union, to connect the seaboard of British Columbia with the railway system of Canada. Feeling the impossibility of complying with this time limit for completion, the Government is prepared to make new stipulations and to enter into additional obligations of a definite character, for the benefit of the Province. They propose to commence construction from Esquimalt to Nanaimo immediately, and to push that portion of railway on to completion with the utmost vigor, and in the shortest practicable time.

The engineering difficulties on the mainland have, unfortunately, turned out to be so serious that further surveys must necessarily be made before the best route can be determined upon. The Government have already asked Parliament for a large sum for the purpose of carrying on these surveys, and no expenditure will be spared to achieve the most speedy and reliable selection of a permanent location of the line upon the mainland. It is useless to propose an actual construction being undertaken before the location has been determined upon; but in order to afford as much benefit from the works of construction, from the very first, as can possibly be derived by the people of the interior, the Government would immediately open up a road and build a telegraph line along the whole length of the railway in the Province, and carry telegraph wire across the continent. It is believed that the mere commencement to build a railway at the seaboard, as stipulated for in the existing terms, would give but little satisfaction to the producers living upon the east side of the Cascade Mountains, who would be unable, without a road being first constructed, to find a market all along the whole extent of the railway, wherever construction was progressing. It would then be the aim of the Government to strain every nerve to push forward the construction of the railway; and they would endeavor at the same time so to arrange the expenditure that the legitimate advantages derivable from it would, as much as possible, fall into the hands of our own producers. In addition to constructing the road to facilitate transport along the located line, they are anxious to avail themselves of the large supplies of all kinds of provisions now existing, or capable of being produced, in the interior, and would proceed from the very first with all the works of construction in that portion of the country that their energy could sanction.

It is to be observed that while the terms of Union contemplated the completion of the whole railway within a certain number of years, they made no provisions of

any certainty of expenditure in any particular time, or in any particular portion of the line. To predicate the highest expenditure which in any one year might be warranted in a particular portion of a great work like this is certainly difficult; and it is still more difficult to arrive at the lowest fixed annual sum, which in every year, and under all circumstances, might be judiciously expended as a minimum in local construction. To a country like British Columbia, it is conceded, however, to be an important point that not only the prompt and vigorous commencement, but also the continuous prosecution of the work of construction within the limits of the Province should be guaranteed. In order, therefore, to secure an absolute certainty in this direction, and although the length of line within the Province is estimated at only about one-fifth of the whole length, the Dominion Government are disposed to concede to British Columbia that the moment the surveys and road on the mainland can be completed, there shall be in each and every year, and even under the most unfavorable circumstances, during the construction of the railway, a minimum expenditure upon works of construction within the Province of at least one million and five hundred thousand dollars. That this will secure the continuous progress of the works in the Province, without any intermission, is quite apparent, and it must also be perfectly clear that so large an annual sum could not be expended by any Dominion Administration in a remote district without holding out to the country some early prospect of a return for it, and at the same time showing that they were proceeding with the works with sufficient rapidity to bring the investment into an early condition to earn something. In reference to this point, I may be permitted to refer to the fact that the delegates from British Columbia who negotiated the terms of Union were instructed by the Provincial Legislature to accept an undertaking from Canada to build the railway with a guaranteed annual expenditure, in the Province, upon construction, of one million of dollars, to begin at the end of three years after Union. We must assume that this guarantee of continuous construction was only abandoned by the delegates upon a conviction of both the sincerity and the feasibility of the offer of early completion that was made to them. I trust that the proposals of the Dominion Cabinet, which I have sketched above, will be considered and accepted by British Columbia, as an earnest effort on the part of the former to carry out the spirit of the obligations to the Province.

The leader of the Canadian Government has instructed me to place these matters before you, as leader of the Provincial Administration, and at the same time to furnish a copy to His Excellency the Lieutenant-Governor. The substance of these proposals has been sent to me by telegraphic cypher, and based upon that I have the honor of communicating them to you. The Dominion Government would be glad to have the consideration of this proposal entertained by your Administration and to learn the conclusion of the Government of British Columbia upon the subject.

I have the honor to be, Sir, your obedient servant,

J. D. EDGAR.

Hon. GEORGE A. WALKEM, M.P.P., Attorney-General.

#### APPENDIX C.

VICTORIA, B. C., 9th May, 1874.

SIR,—I have the honor to inform Your Excellency that in accordance with instructions from Hon. Alexander Mackenzie, leader of the Canadian Government, I have submitted to the Hon. G. A. Walkem, leader of your Ministry, the views of the former upon the question of the Canada Pacific Railway, with a view to the relaxation of the terms of Union, so far as regards the time limited for the completion of the railway. I was at the same time instructed to furnish for Your Excellency's information a copy, which I now have the honor to enclose, of the communication addressed by me to your Minister upon that subject.

I have the honor to be Your Excellency's obedient servant,

J. D. EDGAR.

His Excellency, Hon. JOSEPH W. TRUTCH,  
Lieutenant-Governor of British Columbia.



## APPENDIX D.

ATTORNEY-GENERAL'S DEPARTMENT, VICTORIA, 11th May, 1874.

SIR,—I have the honor to acknowledge the receipt, on Saturday, the 9th instant, of your letter of the previous day's date.

In reply to your request that I should submit your proposals for a change in the railway clause of the terms of Union to the Local Administration for their consideration and acceptance, I have the honor to inform you that I am not in a position to advise His Excellency the Lieutenant-Governor in Council to treat such proposals officially, nor can I tender such advice until I shall have been informed that you have been specially accredited to act in this matter as the agent of the General Government, and that they will consider your acts or negotiations in the matter binding upon them.

I have the honor to be, &c.,

G. A. WALKEM, *Attorney-General*.

JAMES D. EDGAR, Esq., Victoria.

## APPENDIX E.

VICTORIA, 18th May, 1874.

SIR,—I have the honor to acknowledge having received your letter of the 11th instant, just before leaving for the mainland. I am sure you cannot have forgotten that letters from the highest dignitaries at Ottawa, which have been long ago delivered by me both to His Excellency the Lieutenant-Governor and to yourself, have informed you that I came to this Province on behalf of the Dominion Government, and possessing their entire confidence. In my communication of the 8th instant I stated most distinctly that I was making the proposals contained in it by the instructions and on behalf of the Canadian Ministry. You have, however, done me the honor of assuming that my statement was incorrect, and that I am acting without authority or instructions. I can afford to pass over without notice the personal insinuations, but I must most strongly protest against such extraordinary treatment of a document which emanates from the Government of Canada, upon a subject of such deep and pressing moment to British Columbia. I have therefore the honor to request that the proposals of the Dominion Government may receive the consideration at the hands of the Provincial Administration to which such communications are entitled, and which the extreme importance of the subject demands.

I have the honor to be your obedient servant,

J. D. EDGAR.

Hon. GEORGE A. WALKEM, *Attorney-General*, &c.

## APPENDIX F.

VICTORIA, 18th May, 1874.

SIR,—In reply to your letter of this date, I must express my surprise and regret that you should have taken umbrage at the contents of my letter of the 11th instant. Mr. Mackenzie is an official, and his only letter to me respecting your visit has expressly narrowed and confined the object of your mission to the holding of a personal interview with my colleagues and myself in order that our "views regarding the policy of the Government on the construction of the railway should be ascertained without tedious and possibly unsatisfactory correspondence"—I quote his words. These things having been done, the special aim desired, I may be permitted to think, has been attained by Mr. Mackenzie.

When, however, you proceed further, and propose changes to this Government of the gravest importance to the Province, I must be pardoned for considering it my duty, in my public capacity, to ask for your official authority for appearing in the role of an agent contracting for the Dominion of Canada. This information I have not yet received.

I have the honor to be your obedient servant,

GEO. A. WALKEM.

J. D. EDGAR, Esq.

*Copy of a Report of a Committee of the Honorable the Privy Council, approved by His Excellency the Governor General in Council on 8th July, 1874.*

The Committee of Council, after due deliberation, consider that the proposed mission of Mr. Walkem, Attorney-General of British Columbia, to England, on behalf of the Government of that Province, to complain to the Imperial Government of the non-fulfilment by the Dominion Government of the terms of Union, and the telegraphic message of the Right Hon. the Secretary of State for the Colonies, with reference to the said mission, in which he offers his good offices in arriving at some understanding between British Columbia and the Dominion, render it desirable that a brief statement should be submitted, showing the position of the question and the action taken by the present Government of Canada in relation thereto.

The Order in Council under which British Columbia was admitted into the Union provided, in the 11th section, that :

"The Government of the Dominion undertake to secure the commencement simultaneously, within two years from the date of the Union, of the construction of a railway from the Pacific towards the Rocky Mountains, and from such point as may be selected east of the Rocky Mountains towards the Pacific, to connect the seaboard of British Columbia with the railway system of Canada ; and further to secure the completion of such railway within ten years from the date of the Union."

The passage of such a provision was very strongly opposed in Parliament, the Government of the day securing only a majority of ten in support of the measure. In order to induce even this majority to sustain them, the following resolution was proposed and carried by the Government :—

"That the railway referred to in the Address to Her Majesty concerning the union of British Columbia with Canada, adopted by this House on Saturday, the 1st April instant, should be constructed and worked by private enterprise, and not by the Dominion Government, and that the public aid to be given to secure that undertaking should consist of such liberal grants of land, and such subsidy in money or other aid as not increasing the present rate of taxation, as the Parliament of Canada shall hereafter determine."

The late Government were compelled by their followers in the House to adopt this resolution regarding the taxation consequent on the obligation to build the railway as the condition of obtaining their support. Even with this qualifying resolution promised, the section respecting the railway was carried but by a majority of ten, the usual majority being from fifty to seventy.

It is impossible to conceive how such terms could even have been proposed, as it was quite clear to every person that they were incapable of fulfilment, especially as the British Columbia Legislature never asked such extravagant terms. The clause of the terms adopted by that body having reference to the railway was as follows :—

"Inasmuch as no real union can subsist between this colony and Canada without the speedy establishment of communication across the Rocky Mountains by coach road and railway, the Dominion shall, within three years from the date of Union, construct and open for traffic such coach road from some point on the line of the main trunk road of this colony to Fort Garry, of similar character to the said main trunk road ; and shall further engage to use all means in her power to complete such railway communication at the earliest practicable date, and that surveys to determine the proper line for such railway shall be at once commenced ; and that a sum not less than one million dollars shall be expended in every year from and after three years from the date of Union in actually constructing the initial sections of such railway from the seaboard of British Columbia to connect with the railway system of Canada."

Mr. Trutch, the delegate of the British Columbia Government, present in Ottawa during the discussions on the terms of Union, expressed himself as follows at a public meeting, in order to reassure those who who were apprehensive of the conveyances of so rash an assumption of such serious obligations :—

"When he came to Ottawa with his co-delegates last year, they entered into a computation with the Privy Council as to the cost and time it would take to build



the line, and they came to the conclusion that it could be built on the terms proposed in ten years. If they had said twelve or eighteen years, that time would have been accepted with equal readiness, as all that was understood was that the line should be built as soon as possible. British Columbia had entered into a partnership with Canada, and they were united to construct certain public works, but before one would protest against anything by which it should be understood that the Government were to borrow one hundred million dollars, or to tax the people of Canada and British Columbia to carry out those works within a certain time (loud cheers) he had been accused of having made a very Jewish bargain; but not even Shylock would have demanded his 'pound of flesh' if it had to be cut from his own body. (Laughter and cheers.)"

These expressions show very clearly that the terms agreed to were directory rather than mandatory, and were to be interpreted by circumstances, the essence of the engagement being such diligence as was consistent with moderate expenditure, and no increase in the then rate of taxation.

When the present Government assumed office, in November, 1873, the condition of affairs regarding the railway was as follows:—A sum of over a million of dollars had been expended in prosecuting the surveys, over one-half of which was spent in British Columbia, but the engineers had not been able to locate any portion of the line.

A company, under the presidency of Sir Hugh Allan, had been formed by the late Government to construct the line. That company had undertaken to complete the railway for a grant of thirty millions of money and a grant of twenty thousand acres of land per mile, retaining possession of the railway when built as their own property. The president and a delegation of the directors of this company visited England to make financial arrangements to enable them to commence the work of construction. Their mission proved a total failure. Their failure was so complete that soon after the return of Sir Hugh Allan and his co-delegates from England, they relinquished their charter, and the Government paid them the sum of one million dollars, which had been deposited with the Receiver-General under the terms of the agreement.

The British Columbia Government had also complained that the commencement of the works of construction had not been made within the time provided; Sir John A. Macdonald, however, giving an informal opinion that the terms as to commencement were sufficiently and substantially kept by the active prosecution of the surveys.

This Government had therefore to provide some other method for the prosecution of the work, to endeavor to keep substantially good faith with British Columbia, to avoid further taxation and, if possible, secure the consent and co-operation of the Government and people of British Columbia.

The new Bill, which has since become law, was prepared, which enables the Government (with the approval of Parliament) to get the work executed in one or several contracts, by a company or companies, which may or may not become proprietors of the line after it is constructed.

Mr. James D. Edgar was despatched on a special mission to the Province of British Columbia, charged to confer with the Government, and also to visit all classes or parties, and ascertain their views, and to submit any proposal he might be directed to make to the local authorities or to receive any proposition from them and forward the same to Ottawa for consideration. A copy of the instructions sent to Mr. Edgar, and copies of certain telegrams already forwarded, and Mr. Edgar's report accompanying this Minute, explain sufficiently the nature and result of Mr. Edgar's mission. It was at first expected that a good understanding would be arrived at, and, judging from circumstances, local political complications alone prevented some arrangement being come to.

The reason alleged for refusing to consider the proposition Mr. Edgar was finally directed to make, that Mr. Edgar was not accredited by this Government, was evidently a mere technical pretence. All that Mr. Edgar had to do was simply to present

the proposals and ascertain on the spot whether they would be entertained by the Government.

If satisfactory to them, the Dominion Government would, as a matter of course, have them sanctioned in due form; or if any counter proposition had been made, instructions would be given to Mr. Edgar concerning them.

The propositions made by Mr. Edgar involved an immediate heavy expenditure in British Columbia not contemplated by the terms of Union, namely, the construction of a railway on Vancouver's Island, from the Port of Esquimalt to Nanaimo, as compensation to the most populous part of the Province for the requirement of a longer time for completing the line on the mainland. The proposals also embraced an obligation to construct a road or trail and telegraph line across the continent at once, and an expenditure of not less than a million and a half within the Province annually on the railway works on the mainland, irrespective of the amounts which might be spent east of the Rocky Mountains, being a half more than the entire sum British Columbia demanded in the first instance as the annual expenditure on the whole road.

In order to enable the Government to carry out the proposals which it was hoped the British Columbia Government would have accepted, the average rate of taxation was raised at the late Session about fifteen per cent., the Customs duties being raised from fifteen per cent. to seventeen and a-half per cent., and the Excise duties on spirits and tobacco a corresponding rate, both involving additional taxation, exceeding three millions of dollars on the transactions of the year.

The public feeling of the whole Dominion has been expressed so strongly against the fatal extravagance involved in the terms agreed to by the late Government that no Government could live that would attempt, or rather pretend to attempt, their literal fulfilment. Public opinion would not go beyond the proposal made through Mr. Edgar to the Government.

There is also reason to believe that local political exigencies alone induce the Government of British Columbia not to entertain these proposals.

Since these propositions have been before the people, meetings have been had on Vancouver's Island and on the mainland, when the action of the Local Government was condemned, and a call made to accept the proposals offered. A very influential portion of the local press has also declared in favor of the course pursued by the Dominion Government.

It may not be out of place to mention that the action of the Dominion Government regarding the graving dock shows a desire to do everything that can fairly be asked, whether there be an obligation or not, under the terms of the Union. The Dominion was only bound to guarantee the interest on one hundred thousand pounds at five per cent. for ten years after the dock should be constructed. The Local Government found it impossible to obtain any contractor to undertake the work on the terms they were able to offer, based on the Dominion guarantee, and they solicited his Government to assist otherwise. This was agreed to, and parliamentary authority was obtained at the late Session to enable the Governor General in Council to advance \$250,000 as the work progressed.

The report of Mr. Edgar will fully explain the object and effect of his mission as the agent of the Government. The Committee advise, therefore, that a copy of the said report and appendices be transmitted to the Right Hon. Lord Carnarvon, Secretary of State for the Colonies, with this Minute.

Certified.

W. A. HIMSWORTH, *Clerk of Privy Council.*

QUEBEC, 9th July, 1874.

MY LORD,—I have the honor to forward, for Your Lordship's information, a printed circular from the Department of Public Works, inviting proposals for the erection of a line of telegraph along the general route of the Canadian Pacific Railway.

I have, &c.,

DUFFERIN.

The Right Hon. The Earl of Carnarvon, &c., &c., &c.



*Canadian Pacific Railway—Telegraph Line.*

Proposals are invited for the erection of a line of telegraph along the general route of the Canadian Pacific Railway, as may be defined by the Government. The proposals to embrace the following points, viz. :—

The furnishing of all materials, labor, instruments and everything necessary to put the line in operation.

The maintenance of the line for a period of five years after its completion.

In the wooded sections the land to be cleared to a width of 132 feet, or such greater width as may be necessary to prevent injury to the telegraph from fires or falling trees.

Distinct proposals to be made for each of the following sections, such proposals to state the time when the party tendering will undertake to have the telegraph ready for use in each case :

1. Fort Garry to a point opposite Fort Pelly, about 250 miles.

2. Fort Garry to the bend of the North Saskatchewan, about 500 miles.

3. Fort Garry to a point in the longitude of Edmonton, about 800 miles.

4. Lac la Hache, or other convenient point on the existing telegraph system in British Columbia, to Fort Edmonton, about 550 miles.

5. Fort Garry to Nepigon, Lake Superior, about 420 miles.

6. Ottawa to Nepigon, Lake Superior, about 760 miles.

The above distances are approximate. They are given for the general guidance of parties desiring information. Any increase or diminution in the ascertained mileage after construction will be paid for or deducted, as the case may be, at a rate corresponding with the sum total of the tender.

Parties tendering must satisfy the Government as to their ability to carry out the work and maintain it for the specified time.

Proposals addressed to the Minister of Public Works will be received up to the 22nd day of July next.

By order.

F. BRAUN, *Secretary.*

DEPARTMENT OF PUBLIC WORKS, June, 1874.

OTTAWA, 18th July, 1874.

MY LORD,—I have the honor to enclose a copy of an approved report of a Committee of the Privy Council requesting me to inform Your Lordship 8th July, 1874. that Mr. Walkem, the Attorney-General of the Province of British Columbia, has been deputed by that Government as a special agent to lay before Your Lordship the claims of British Columbia, under the 11th clause of the terms of the Union with the Dominion of Canada.

I have, &c.,

DUFFERIN.

Right Hon. the Earl of Carnarvon.

*Copy of a Report of a Committee of the Honorable the Privy Council, approved by His Excellency the Governor General in Council on the 8th July, 1874.*

On a despatch, dated 11th June, 1874, from His Honor the Lieutenant-Governor of British Columbia, enclosing a Minute of the Executive Council of that Province, representing that British Columbia is suffering great injury from the failure by Canada to carry out the obligations of the 11th clause of the terms of Union, and that it is advisable, in the interests of that Province, that the case be laid before the Imperial Government, by means of a memorial to be presented to the Secretary of State for the Colonies by the Attorney-General of British Columbia, as special agent and delegate of that Government.

The Lieutenant-Governor states that, in accordance with the advice of his Ministers, he has appointed the Hon. George Anthony Walkem, Attorney-General of that Province, to be such special agent and delegate, and at their

request he begs that Your Excellency be informed that Mr. Walkem has been duly appointed as such special agent and delegate, and that Your Excellency be moved to acquaint the Right Hon. Her Majesty's Principal Secretary of State for the Colonies that Mr. Walkem has been authorized and instructed to place in his hands the memorial of that Government, appealing to Her Majesty, and to support the prayer thereof.

On the recommendation of the Hon. the Secretary of State, the Committee advise that the above request be acceded to.

Certified.

W. A. HIMSWORTH, *Clerk Privy Council.*

OTTAWA, 22nd July, 1874.

MY LORD,—I have the honor to forward herewith three copies of the Act of last session, "An Act to provide for the construction of the Canadian Pacific Railway." One copy is attested by the Deputy Clerk of the Senate.

I have, &c.,

DUFFERIN.

Right Hon. the Earl of Carnarvon.

OTTAWA, 31st July, 1874.

MY LORD,—I have the honor to transmit a copy of a despatch and enclosure from 2nd July, 1874, the Lieutenant-Governor of British Columbia, together with the petition to Her Majesty, therein referred to, from the inhabitants of Victoria, respecting the non-fulfilment by Canada of the terms of Union.

I have, &c.,

DUFFERIN.

The Earl of Carnarvon.

SAULT STE. MARIE, 31st July, 1874.

MY LORD,—In further reference to your public despatch, No. 110, of 18th June, which I communicated to my Ministers, I have the honor to enclose an approved 3rd July. Order in Council, in which my Government sets forth more at large its views with respect to its pending dispute with British Columbia, and expresses a desire that Your Lordship would use your good offices in promoting a settlement of the misunderstanding, in accordance with the suggestion you have been good enough to make.

I have, &c.,

DUFFERIN.

Right Hon. the Earl of Carnarvon.

*Copy of a Report of a Committee of the Honorable the Privy Council, approved by His Excellency the Governor General in Council on the 23rd July, 1874.*

The Committee of Council have had under consideration the despatch from the Right Hon. the Secretary of State for the Colonies, No. 110, relative to the proposed mission of a member of the British Columbia Government to England, for the purpose of complaining of the alleged non-fulfilment of the terms of Union between that Province and the Dominion as to the construction of the Pacific Railway, and containing an offer on the part of Lord Carnarvon in the following terms: "If both Governments should unite in desiring to refer to my arbitration on all matters in controversy, binding themselves to accept such decision as I may think fair and just, I would not decline to undertake this service;" and further stating that he could not assume such duty "unless by the desire of both parties, and unless it should be fully agreed that my decision, whatever it may be, shall be accepted without any question or demur;" concluding with a request that in the event of this offer being accepted, a statement of the case should be prepared by each Government to be submitted for consideration.



The Committee advise that Lord Carnarvon be informed that the papers already transmitted to the Colonial Office, with the Minute of Council of 8th July, having special reference to Mr. Walkem's communication in Ottawa of the 15th July, convey substantially all that this Government have to say upon the subject; and that the Government would gladly accept his Lordship's offer, if it were possible to define, with any degree of exactitude, the matter in dispute.

When the present Government assumed office they found that the British Columbia Government had protested against the non-commencement of works of construction on the railway on or before the 20th day of July, 1873, as agreed to in the 11th section of the Order in Council relating to the Union. They also found that the means taken by the late Dominion Government for proceeding with the works of construction had totally failed, although the works preliminary to an actual commencement had been prosecuted with all possible despatch.

There can be no question of the extreme difficulty involved in the survey of a line of railway across an uninhabited continent, a distance of 2,500 miles. To properly complete this survey and ascertain the best route for the railway would require, not two years simply, but at least five or six years, as all experience of works of this magnitude and character, both in the Dominion and elsewhere, has sufficiently demonstrated.

The expenditure which had taken place up to that time was very large, exceeding \$1,000,000, and yet the engineers had been quite unable to locate any portion of the line in the more difficult parts of the country to be traversed.

Under these circumstances the Government conceive that there was no reasonable or just cause of complaint on the part of the British Columbia Government.

No other steps could have been taken, further than prosecuting the surveys, until the assembling of Parliament, towards the close of the month of March of this year.

The Government were then prepared with a new Bill, taking ample powers for proceeding with the works as expeditiously as the circumstances of the country would permit. No complaint, official or otherwise, has been made as to the sufficiency of this measure to accomplish the object in view. It was distinctly understood by the British Columbia delegation at the time the terms of Union were agreed upon that the taxation of the country was not to be increased on account of this work beyond the rate then existing.

So anxious, however, were the present Government to remove any possible cause of complaint, that they did take means to increase the taxation very materially in order to place themselves in a position to make arrangements for the prosecution of the initial and difficult portions of the line as soon as it was possible to do so—and at the same time a special confidential agent was deputed to British Columbia for the express purpose of conferring with the Government of that Province, and to endeavor to arrive at some understanding as to a course to be pursued which could be satisfactory to British Columbia and meet the circumstances of the Dominion.

It should be mentioned that before the late Government left office it had been distinctly understood, as one of the results of the visit to England by the directors of the Allan Company, that an extension of time of at least four years would be absolutely necessary.

Mr. Walkem, of British Columbia, quite understood this, and there is reason to believe that it would have been assented to by all parties.

The proposal made through Mr. Edgar to the British Columbia Government is one which the Dominion Government think should have been accepted as reasonable and just, and as one quite in accordance with the moral obligations imposed on this Government, if not with the actual letter of the agreement.

It must be remembered that British Columbia earnestly petitioned the Dominion Government to modify the terms of Union in its own favor in relation to the construction of the graving dock. The Dominion Government cordially assented to provide the money for the construction of the work, instead of abiding by the agreement to guarantee merely the provincial bonds for ten years, as provided by the terms

of Union. This at once shows the liberality of the Dominion Government, and their willingness to consider and meet exceptional circumstances wherever they existed. And this manifestation of liberality on the part of this Government, they conceive, should have been reciprocated in other matters by the Provincial Government.

The Dominion Government were also willing to exceed the terms of Union by constructing a railway on the Island of Vancouver, although they were bound only to reach the seaboard of the Pacific.

At the present time the only violation of the terms of the compact which can be alleged is that the works of construction were not actually commenced on the 20th July, 1873. But it is doubtful if even that allegation can be upheld.

It was all but impossible to proceed more rapidly with the work of survey, and a very extravagant expenditure was the result of the haste already shown in endeavoring to locate the line.

This may be understood from the fact that the surveys of the Intercolonial Railway, 500 miles long, occupied not less than four years, though the route was through a settled country, and they were then very incomplete, causing subsequent serious embarrassments to the contractors, and the presentation by them of endless claims for compensation.

Mr. Walkem, in his conversations, admits frankly that the literal fulfilment of the terms for the completion of the line on a certain day in 1881 cannot be expected. The only questions, therefore, that can now arise are, (1) whether due diligence and expedition have been exerted by the Dominion Government in the prosecution of the works, and (2) whether the offers of compensation for the alleged non-fulfilment of the terms were just and fair.

While expressing a very strong conviction that everything has been done that could possibly be done under the circumstances, and that the Dominion Government have shown a disposition to go far beyond the spirit of the engagement entered into with British Columbia, considering the expressions of opinion by Mr. Trutch, as the delegate of British Columbia at the time of the Union, and the facts set forth in the several documents already forwarded to the Colonial Office, the Committee advise that Lord Carnarvon be informed they would gladly submit the question to him for his decision as to whether the exertions of the Government, the diligence shown, and the offers made, have or have not been fair and just, and in accordance with the spirit of the agreement.

The Committee advise that a copy of this Minute be forwarded to the Right Hon. the Secretary of State for the Colonies.

Certified.

W. A. HIMSWORTH, *Clerk Privy Council.*

DOWNING STREET, 16th August, 1874.

MY LORD,—With reference to my despatch, No. 110, of the 18th of June, I have now to acquaint you that I have seen Mr. Walkem, the Premier of British Columbia, deputed by his Government to represent to me the claims of the Province relative to the delays which have occurred in the construction of the Pacific Railway; the completion of which works within a certain understood time was one of the principal considerations that influenced the union of British Columbia with the Dominion of Canada in 1871. I will only add, on this head, that Mr. Walkem laid his case before me in temperate and reasonable terms.

2. I have also received a telegram from the Lieutenant-Governor of British Columbia, stating that upon the advice of his responsible Ministers he accepts, on behalf of British Columbia, the arbitration which I thought it my duty to offer, and the conditions of which I explained to your Lordship in my despatch of the 18th of June.

3. I have further received your despatch of the 31st July, enclosing copy of the Report of the Canadian Privy Council of the 23rd of July, in which your Ministers express their readiness to submit for my decision the question whether the exertions of the Dominion Government in the prosecution of the work, the diligence shown,



and the offers made by them to British Columbia, have or have not been fair and just, and in accordance with the spirit of the agreement entered into between Canada and British Columbia at the date of the Union.

4. I appreciate the confidence which has thus been placed in me by both parties to this controversy, and so far as lies in my power, I am most desirous of contributing to the settlement of a difference which, although hitherto conducted with great moderation and in a conciliatory spirit on both sides, might easily assume more serious dimensions.

5. I feel sure that the Dominion Government will agree with me that the sooner this controversy can be closed the better, and that to arrange matters amicably, and with as little resort as possible to formal procedure, will best promote that object, and will be most congenial to the feelings of all parties.

6. With this view, I will proceed to state the case, as I understand it, and the impressions which I have formed as to the course that ought to be taken.

The proposals made by Mr. Edgar, on behalf of the Canadian Government, to the Provincial Government of British Columbia, may be stated as follows:—

(1.) To commence at once, and finish, as soon as possible, a railway from Esquimalt to Nanaimo.

(2.) To spare no expense in settling, as speedily as possible, the line to be taken by the railway on the mainland.

(3.) To make at once a waggon road and line of telegraph along the whole length of the railway in British Columbia, and to continue the telegraph across the continent.

(4.) The moment the surveys and road on the mainland are completed, to spend a minimum amount of \$1,500,000 annually upon the construction of the railway within the Province.

7. I am under the impression, after conversing with Mr. Walkem, that he is not fully empowered, on the part of British Columbia, to make specific proposals to the Government of Canada, or to me, as to what terms British Columbia would be willing to accept; but he has stated very clearly, in conversation at this office, the objections entertained by his Government and in the Province to the proposals of your Government; and they, or a considerable part of them, are fully set forth in the petition to the Queen, of which, as it has been published in the colonial press, you no doubt have a copy.

8. Taking each point *seriatim*, as numbered in the last preceding paragraph but one, I understand it to be urged:—

(1.) That nothing is being done by the Dominion Government towards commencing and pushing on a railway from Esquimalt to Nanaimo.

(2.) That the surveying parties on the mainland are numerically very weak; and that there is no expectation in British Columbia, or guarantee given on the part of the Dominion, that the surveys will be proceeded with as speedily as possible.

(3.) That the people of British Columbia do not desire the waggon road offered by the Dominion Government, as it would be useless to them; and that even the telegraph proposed to be made along the line of the railway cannot, of course, be made until the route to be taken by the railway is settled.

(4.) That "the moment the surveys are completed," is not only an altogether uncertain, but, at the present rate of proceeding, a very remote period of time, and that an expenditure of \$1,500,000 a year on the railway within the Province will not carry the line to the boundary of British Columbia before a very distant date.

8. Mr. Walkem further urges that by section 11 of the Canadian Pacific Railway Act of 1874 it is competent to the Dominion House of Commons to reject at any time the contract for a section of the railway, and thus to prevent the continuous construction of the work.

9. Referring, first, to this latter point, I do not understand that it is alleged by Mr. Walkem, nor do I for a moment apprehend that the proviso was introduced with any belief that it would delay the construction of the railway. I conceive that all that was intended by it was to retain the power of exercising an adequate super-

vision over the financial details of the scheme ; nevertheless, the objection stated by Mr. Walkem appears to me one which the Dominion Government should seriously consider, as their policy in so important a matter ought not to be left open to criticism, and British Columbia may fairly ask, according to the letter and the spirit of past engagements, for every reasonable security that the railway will be completed as speedily as possible.

10. Strong as are, doubtless, the objections urged by Mr. Walkem to the proposals which I understand Mr. Edgar to have made on behalf of your Ministers, and important as is the subject-matter of controversy, I, as at present advised, can see no reason why the views of both parties should not be reconciled to their satisfaction and with justice to all interests concerned.

11. On the one hand, I cannot entertain the least doubt of the sincere intention of the Canadian Government and Parliament to adhere as closely as possible to the pledges given to British Columbia at the time of the Union, to do that which is just and liberal towards the Province, and in fact to maintain the good faith of the Dominion in the spirit if not in the letter of the original agreement under circumstances which I admit to be of no ordinary difficulty.

12. On the other hand, however, it would be unfair to deny that the objections stated by Mr. Walkem have a certain foundation and force, and I have every confidence, in order to obtain the settlement of a question of such vital importance to the interests of the whole Dominion, the Canadian Government will be willing to make some reasonable concessions, such as may satisfy the local requirements of British Columbia, and yet in no way detract from the high position which the Dominion Parliament and Government ought, in my judgment, to occupy.

13. I am of opinion, therefore, on a general review of all the considerations of the case, and as an impartial but most friendly adviser, who, if I may be allowed to say so, has the interests of both parties and the prosperity of the whole Dominion deeply at heart, that the following proposals would not be other than a fair basis of adjustment.

14. (1.) That the section of the railway from Esquimalt to Nanaimo should be begun at once.

(2.) That the Dominion Government should greatly increase the strength of the surveying parties on the mainland, and that they should undertake to expend on the surveys, if necessary, for the speedy completion of the work, if not an equal share to that which they would expend on the railway itself if it were in actual course of construction ; at all events, some considerable definite minimum amount.

(3.) Inasmuch as the proposed waggon road does not seem to be desired by British Columbia, the Canadian Government and Parliament may be fairly relieved of the expense and labor involved in their offer ; and desirable, as in my opinion the construction of the telegraph across the continent will be, it perhaps is a question whether it may not be postponed till the line to be taken by the railway is definitely settled.

(4.) The offer made by the Dominion Government to spend a minimum amount of \$1,500,000 annually on the railway within British Columbia, as soon as the surveys and waggon road are completed, appears to me to be hardly as definite as the large interests involved on both sides seem to require. I think that some short and fixed time should be assigned within which the surveys should be completed ; failing which, some compensation should become due to British Columbia for the delay.

15. Looking, farther, to all the delays which have taken place, and which may yet perhaps occur ; looking, also, to the public expectations that have been held out of the completion of the railway, if not within the original period of ten years fixed by the terms of Union, at all events within fourteen years from 1871, I cannot but think that the annual minimum expenditure of \$1,500,000, offered by the Dominion Government for the construction of the railway in the Province, is hardly adequate. In order to make the proposal not only fair, but, as I know, is the wish of your Ministers, liberal, I would suggest for their consideration whether the amount should not be fixed at a higher rate, say, for instance, at \$2,000,000 a year.



16. The really important point, however, not only in the interests of the Province, but for the credit of the Dominion and the advantage of the Empire at large, is to assume the completion of the railway at some definite period, which, from causes over which your Ministers have had no control, must now, I admit, be much more distant than had been originally contemplated, and I am disposed to suggest as a reasonable arrangement, and one neither unfair to the Dominion nor to British Columbia, that the year 1890 should be agreed upon for this purpose. In making this suggestion, I, of course, conclude that the Dominion Government will readily use all reasonable efforts to complete the line before any extreme limit of time that may be fixed. A postponement to the very distant period which I have mentioned could not fail to be a serious disappointment to the people of the Province, and to all interested in its welfare, and I should not have suggested it, were it not for the full confidence which I felt in the determination of your Ministers to do not merely the least that they may be obliged, but the utmost that they may be able, in redemption of the obligations which they have inherited.

17. I have now only to repeat the strong desire which I feel to be of service in a matter, the settlement of which may be either simple or difficult, according to the spirit in which it is approached, a question directly bearing upon the terms of Union, may, if both parties to it will waive some portion of their own views and opinions, be well entrusted to the Imperial authority which presided over that Union, and not improperly, perhaps, to the individual Minister whose fortune it was to consider and in some degree to shape the details of the original settlement under which the Provinces of British North America were confederated, and British Columbia ultimately brought into connection with them. If, indeed, the expression of a personal feeling may, in such a case as this, be indulged, I may perhaps be allowed to say how sincerely I prize the recollection of the share which I was then permitted to have in that great work, how deeply I should grieve to see any disagreement or difference impair the harmony which has been so conspicuously maintained by the wisdom and good feeling of all parties, and how entirely Your Lordship and your Ministers may count upon my best efforts in furtherance of every measure that can contribute to the strength and honor of the Dominion of Canada.

18. It will be very convenient if your Government should feel able to reply by telegraph, stating generally whether the modifications which I have proposed, and which seem to me consistent with the present conditions of the question and with the true construction of the policy adopted by them, are in the main acceptable to them, in order that no unnecessary delay may take place in bringing this matter to a conclusion.

I have, &c.,

CARNARVON.

Governor General the Right Hon. the Earl of Dufferin, K.P., K.C.B.

OTTAWA, 21st August, 1874.

MY LORD,—In continuation of my despatches, noted in the margin, on the subject  
 No. 182, 9th July of the suggestions made by Your Lordship for the settlement of the  
 207, 31st “ differences between the Government of British Columbia and that of  
 the Dominion, I have the honor to enclose a copy of a despatch from  
 No. 3617, 29th Lieutenant-Governor Trutch, acknowledging the receipt of the copy I  
 July, 1874. sent him of your despatch, No. 110, of the 18th June.

I have, &c.,

DUFFERIN.

Earl of Carnarvon.

GOVERNMENT HOUSE, VICTORIA, B.C., 29th July, 1874.

MY LORD,—I have the honor to acknowledge the receipt, on the day before yesterday, of Your Lordship's despatch of the 3rd inst., transmitting, by direction of the Right Hon. the Secretary of State for the Colonies, for the information of this Government, a copy of a despatch from that Minister to Your Lordship, proposing

himself as arbitrator in the matters now under discussion between the Government of Canada and this Province in relation to the 11th article of the terms of Union of British Columbia with Canada.

I have submitted Your Lordship's despatch, and that from Lord Carnarvon to Your Lordship, therein transmitted, for the consideration and advice of my Executive Council.

I have, &c.,

JOSEPH W. TRUTCH.

His Excellency the Right Hon. the Earl of Dufferin, K.P., K.C.B.

18th September, 1874.

MY LORD,—In acknowledging the receipt of Your Lordship's despatch (secret) of the 16th of August, in which you have been good enough to convey to me your opinion as to the modifications which might be introduced with advantage into the terms already proffered by my Ministers for the settlement of the dispute now pending between this Government and that of British Columbia, I have the satisfaction of informing you that after a good deal of anxious deliberation Mr. Mackenzie and his colleagues have consented to adopt several suggestions recommended to them by Your Lordship, should it be found absolutely impossible to terminate the controversy in any other manner.

2. The general view of my Ministers on the various points referred to are set forth at large in the enclosed Order in Council, from which Your Lordship will gather that it is with very considerable reluctance they have been induced to make these further concessions, feeling so strongly as they do that their original proposals fairly satisfied the requirements of the case.

3. I have no doubt, however, it will be felt throughout the country that the only mode by which the Dominion could be satisfactorily extricated from the false position in which she was placed by her treaty obligations, to fulfil engagements which were physically impossible of execution, was by a large and generous interpretation of the consequent claims against her.

4. I have further the honor to transmit a sketch map of the area now under exploration in British Columbia, accompanied by a memorandum by Mr. Fleming, the Engineer-in-Chief, by which it will be perceived that every effort is being made to hurry forward the surveys with all possible despatch, and that the employment of any additional staff would uselessly increase the expense without forwarding the work.

I have, &c.,

DUFFERIN.

Right Hon. the Earl of Carnarvon, &c., &c., &c.

*Copy of a Report of a Committee of the Honorable the Privy Council, approved by His Excellency the Governor General in Council on the 17th September, 1874.*

The Committee of Council have had under consideration the despatch of the Right Hon. Lord Carnarvon, relating to the complaints of the British Columbia Government with respect to the Pacific Railway, and suggesting certain modifications of the proposals made by the Dominion Government, through Mr. Edgar, on the 8th May last.

These proposals were prompted by a desire to provide against future difficulty, in view of the then well ascertained fact that the terms of Union had become impossible of literal fulfilment, on the one hand, and on the other hand giving due weight to the very strong feeling entertained against the fatal extravagance which these terms involved to the country. The proposals may thus be summarized:—

1. To build a railway from Esquimalt to Nanaimo, on Vancouver Island, in excess of the terms of Union, and to begin the work immediately.

2. To commence the construction of the railway on the mainland as soon as the surveys could be completed, and to expend on the work not less than one and a half millions annually.



3. To take the necessary steps, meanwhile, to secure the construction of a telegraph line across the continent, on the located line for the railway, at the same time cutting out the railway track and building thereon a trail or road, which would become available as part of the permanent works.

The arrangement proposed by Lord Carnarvon embodies some amendments. His Lordship suggests:--

1st. The immediate construction, as proposed, of the short line on Vancouver Island.

2nd. After the location of the line, the expenditure of two millions on the mainland, instead of one and a half millions.

3rd. The increase of the engineering force to double the number now employed; the expenditure on the survey, if not of an amount equal to the proposed annual expenditure on construction, of some other specific sum; the prescribing of a limited time for the completion of the survey, and the payment of a sum of money as compensation in the event of its not being so completed.

4th. The guarantee of the completion of the entire railway in 1890.

It is also suggested that the construction of the telegraph line and road need not be proceeded with, as Mr. Walkem does not consider either as of any use to the Province.

The Committee recommend that the first consideration, which is precisely what was previously offered, be again concurred in.

In regard to the second proposal, the Committee recommend that Lord Carnarvon be informed (if it be found impossible to obtain a settlement of the question by the acceptance of the former offer) that the Government will consent that, after the completion of the survey, the average annual minimum expenditure on the mainland shall be two millions. There is every reason to believe now that a majority of the people of Columbia would accept the propositions previously made. Judging from a petition sent from the mainland, signed by 644 names (a copy of which petition is enclosed), there is almost an entire unanimity there in favor of these proposals, and assurances were given very lately by gentlemen of the highest position on the island that the course of the Local Government would not meet general approval there. An application was made by one prominent gentleman, an ex-member of Parliament, to the Government here, to know if the proposals made would still be adhered to, he pledging himself to secure their acceptance by the bulk of the people.

It is, therefore, earnestly hoped that no change will be considered necessary, as it will be difficult to induce the country to accept any further concessions.

The third condition requires an increase of the engineer force employed on the surveying service; the completion of the survey within a specific time; and, in case that time should be exceeded, the payment to the Province of a money compensation.

The Committee respectfully submit that the result arrived at by the foregoing suggestion is already being accomplished with the utmost despatch admitted by the circumstances of the case.

The Chief Engineer was instructed to provide all the assistance he required, in order to complete the surveys within the shortest possible period, and he engaged a large force; a force larger indeed than can with profit be employed until the route is definitely determined.

Whatever may be the route finally chosen, the line will of necessity traverse a country with exceedingly rough topographical features for a distance of five or six hundred miles, from the eastern slope of the Rocky Mountains to the extreme limit of the Province on the Pacific.

The country is an immense plateau, which maintains its general elevation to within a few miles of the sea, but often rises into unshapely mountain ranges: some of these ranges tower to a height of over 9,000 feet.

The boundary of the plateau on the west is the Cascade Range; this forms a huge sea wall along the coast, and has interposed a much more formidable obstacle to the surveyors than the Rocky Mountains. Attempts have been made at five or six

points to pierce the barrier, but except at the Fraser River and at Bute Inlet, without success.

From the results of last year's exploration the Bute Inlet route seemed, on the whole, to be the best, but it is not unassociated with serious difficulties. For a distance of twenty miles the ascent or grade is about 150 feet to the mile.

The straits which form the approach to the harbor from seaward are encumbered by islands, and when reached the harbor is found to be destitute of anchorage. The dangers of navigation are increased not alone by the precipitations and rocky shores, but by the rapidity of the tide which rushes through the narrow channels with a velocity of from seven to nine miles an hour.

It was supposed, when work was resumed last spring, that a practicable route would be found from the point where Fleming's line touches the north branch of the Thompson River westward towards what is known as Big Bend, on the Fraser River, from which no serious impediment exists until the commencement of the rapid descent to the sea at Bute Inlet is reached. Had this supposition proved correct, it is probable the Government might have been prepared, at the end of this year, to proceed with the exact location of the line. But the explorations carried on to the close of July last resulted in the discovery of a high range of mountains, which fill the country from near the junction of the Clearwater with the Thompson northward to the great bend of the Fraser; and, without a very long detour south or north, they bar the way to the west. The Chief Engineer therefore advised a re-examination of the Fraser valley, or, more correctly speaking, ravine, inasmuch as no broad valley anywhere exists, the rivers in their courses having cleft ways for themselves through the rocks, which, in some cases, they have pierced to a depth of 1,500 feet by a width of not more than a single mile, thus giving, as the normal condition, exceedingly precipitous banks. This new examination of the Fraser River route will occupy at least the whole season.

A memorandum from the Chief Engineer will give the strength of the force and show its distribution. Nearly two seasons were passed in examining the Rocky Mountain Range and the Valley of the Columbia in the endeavor to obtain a favorable pass. The result was that the explorers were driven north to what is known as Jasper House Pass.

These facts are mentioned to give some idea of the enormous labor involved, and the impossibility of placing a large force in the field to do engineering work, when it is not yet known where the engineering work is to be done. The exploratory survey must be tolerably complete before the exact location of any portion of the line can be contemplated or possible, and before plans can be made of bridges and other works of construction required, and nothing but the urgency of the contract so imprudently entered into with British Columbia would otherwise have induced the Government to employ more than half the force now engaged.

As pointed out in previous memorandum, the expenditure to the end of last year in British Columbia alone was considerably over half a million of money more than the whole expenditure upon the 2,000 miles eastward of that Province.

The Chief Engineer was informed last winter that it was the desire of the Government to have the utmost expedition used in prosecuting and completing the surveys, and in the engagements which he has entered into these directions have been fully considered.

The fourth condition involves another precise engagement to have the whole of the railway communication finished in 1890. There are the strongest possible objections to again adopting a precise time for the completion of the lines. The eastern portion of the line, except so far as the mere letter of the conditions is concerned, affects only the Provinces east of Manitoba, and the Government have not been persuaded either of the wisdom or the necessity of immediately constructing that portion of the railway which traverses the country from the west end of Lake Superior to the proposed eastern terminus on Lake Nipissing, near Georgian Bay, nor is it conceived that the people of British Columbia could, with any show of reason whatever, insist that this portion of the work should be completed within any definite time,



inasmuch as if the people who are chiefly, if not wholly, affected by this branch of the undertaking, are satisfied it is maintained that the people of British Columbia would practically have no right of speech in the matter.

It is intended by the Government that the utmost diligence shall be manifested in obtaining a speedy line of communication by rail and water from Lake Superior westward, completing the various links of railway as fast as possible, consistent with that prudent course which a comparatively poor and sparsely settled country should adopt.

There can be no doubt that it would be an extremely difficult task to obtain the sanction of the Canadian Parliament to any specific bargain as to time, considering the consequences which have already resulted from the unwise adoption of a limited period in the terms of Union for the completion of so vast an undertaking, the extent of which must necessarily be very imperfectly understood by people at a distance. The Committee advise that Lord Carnarvon be informed that while in no case could the Government undertake the completion of the whole line in the time mentioned, an extreme unwillingness exists to another limitation of time; but if it be found absolutely necessary to secure a present settlement of the controversy by further concessions, a pledge may be given that the portion west of Lake Superior will be completed, so as to afford connection by rail with existing lines of railway through a portion of the United States and by Canadian waters during the season of navigation, by the year 1890, as suggested.

With regard to the ameliorating proposal to dispense with the formation of a road or trail across the country, and the construction of a telegraph line, on the representation of the British Columbia delegate that neither is considered necessary, it is proper to remark that it is impossible to dispense with the clearing out of a track and the formation of a road of some sort, in order to get in the supplies for the railway, and the proposal was, that as soon as the general route of the railway could be determined and the location ascertained a width of two chains should be cleared out in the wooded districts, a telegraph line erected, and that a sort of road passable for horses and rough vehicles should be formed and brought into existence, not as a road independent of the railway, but as an auxiliary to and a necessary preliminary to railway construction, the cost incurred forming part, indeed, of the construction of the railway itself.

In so vast a country, where there are no postal facilities and where there can be no rapid postal communications for many years hence, it is absolutely essential that a telegraph line should be erected along the proposed route, as the only means by which the Government and contractors could maintain any communication. The offer, therefore, to dispense with a telegraph line, is one which cannot be considered as in any way whatever affording relief to the Dominion; the undertaking to construct the telegraph line must rather be looked upon as an earnest of the desire of the Government to do everything in reason, in order to keep within the spirit of its engagements.

The intention of the Government will be seen from the following quotations from the Act of last Session:—

"A line of electric telegraph shall be constructed in advance of the said railway and branches, along their whole extent, respectively, as soon as practicable, after the location of the line shall have been determined upon."

Having dealt with the modifications suggested by Lord Carnarvon, it is proper to notice *seriatim* the several grounds of complaint as stated in the despatch.

1st. "That nothing is being done by the Dominion Government towards commencing and pushing on a railway from Esquimalt to Nanaimo."

The Dominion has no engagement to build such a railway, and therefore there can be no just complaint that it is not commenced. The construction of such a railway was offered only as compensation for delay in fulfilling the engagement to build a railway to the "Pacific seaboard."

2nd. "That the surveying parties on the mainland are numerically weak, and that there is no expectation in British Columbia, or guarantee given, that the surveys will be proceeded with as speedily as possible."

On this point it is sufficient to state that, as remarked elsewhere, the utmost expedition possible has been used, and that the allegations in the petition are incorrect.

3rd. "That the people of British Columbia do not desire the wagon road offered by the Dominion Government, as it would be useless to them; and that even the telegraph proposed to be made along the line of the railway cannot, of course, be made until the route to be taken by the railway is settled."

It may be noticed, in connection with this extraordinary statement, that the construction of such a road was one of the conditions imposed by the Local Legislature in their resolutions adopted as the basis whereon to negotiate the terms of Union. It would therefore seem that such a declaration now is intended more to lessen the value of the proposals made to British Columbia than to indicate public sentiment in the Province. As pointed out elsewhere, the work is practically a part of railway construction, and, it is also confidently believed, will be of very great advantage to the people generally.

4th. Mr. Walkem further urges "That by section 11 of the Canadian Pacific Railway Act of 1874, it is competent to the Dominion House of Commons to reject, at any time, the contract for a section of the railway, and thus to prevent the continuous construction of the work."

This is simply a complaint that the present Government provided for parliamentary supervision over the letting of such vast contracts. It was contended by the Opposition, in 1872, that in the matter of a contract for so large a work, for which the Dominion was to pay thirty millions of dollars, and allot nearly sixty million acres of land, the formal sanction of Parliament should be obtained. Accordingly, when it became their duty, under altered political circumstances, to submit a new measure to Parliament, in lieu of the one which had failed of success, they were bound to secure, by statutory enactments, full control to Parliament over the letting of the contract or contracts.

In all extraordinary contracts entered into by the Government of England or Canada, this course has been followed: as, for instance, in contracts for the conveyance of mails by ocean steamers.

It will also be apparent that no Government decision could prevent future Parliamentary action.

The insertion of this section, therefore, is in pursuance of a well settled public policy, not to permit the Executive too extensive powers without specific parliamentary sanction; and even the present Opposition demanded that the restriction should apply to minor works on the branches provided for in the Act.

Neither the Canadian Government nor Parliament can be suspected of having inserted such a clause for the improper purpose of using it to retard progress otherwise possible. Nothing has occurred which could justify such a suspicion.

Since the passage of the Act the Government have placed the grading of the Pembina Branch under contract, and hope soon to place the Nipissing Branch under contract. The contracts for the telegraph lines from Fort William to the existing telegraphic stations in British Columbia will be closed in a few days.

It only remains to say that the Government, in making the new proposals to British Columbia, were actuated by an anxious desire to put an end to all controversy, and to do what is fair and just, under very extraordinary circumstances, and that these proposals embraced the most liberal terms that public opinion would justify them in offering.

It is proper, further, to remark that there has been no just cause of complaint at all, inasmuch as the report of the Chief Engineer shows that nothing more could have been done to forward the work.

The Act passed last Session is a very complete one, and amply provides for the construction of the railway, subject to the parliamentary supervision referred to.

The lot of British Columbia is cast in with the other North American Provinces and it becomes the duty of all the confederated Provinces to consider, to some extent, the general welfare. It is especially the duty of the smaller Provinces to defer



somewhat to the opinions of the old and populous Provinces from which the revenue for the building of all such works is derived.

Certified.

W. A. HIMSWORTH, *Clerk Privy Council.*

*Copy of Petition.*

That in view of the action taken by an association calling itself "The Terms of Union Preservation League," meeting in the city of Victoria, on Vancouver Island, in petitioning Her Most Gracious Majesty the Queen, relative to the non-fulfilment of one of the conditions of the terms of Union, and affirming in said petition that Esquimalt, on Vancouver Island, had been decided to be the terminus of the Canadian Pacific Railway, and that a portion of the line had been located between the harbor of Esquimalt and Seymour Narrows, and praying that Her Majesty act as arbitrator, and see that justice be done to British Columbia, we, the undersigned, respectively submit as follows:—

"That in our opinion, the Order of the Privy Council of Canada, of 7th June, 1873, is in no way binding upon Your Excellency's present Government, and that a line of railway along the seaboard of Vancouver Island to Esquimalt is no part of the terms of Union.

"That in any arrangement which may be entered into for an extension of time for the commencement or completion of the railway, any consideration granted by the Dominion of Canada to the Province of British Columbia should be such as would be generally advantageous to the whole Province, and not of a merely local nature, benefitting only a section thereof.

"That the league referred to, acting under the impression that further surveys may detract from the favorable opinion now entertained by the engineers of the Bute Inlet route, are desirous of forcing Your Excellency's Government into an immediate selection.

"That we consider it would be unwise, impolitic and unjust to select any line for the railway until time be given for a thorough survey of the different routes on the mainland, believing, as we do, that such survey must result in the selection of Fraser Valley route, which is the only one that connects the fertile districts of the interior with the seaboard.

"That as it is evident that the surveys are not yet sufficiently advanced to allow of an intelligent decision on the question of route being arrived at, we consider that a vigorous and immediate prosecution of the surveys by Your Excellency's Government, to be followed, in 1875, by the commencement of construction on the mainland, will be a faithful carrying out of the spirit of the terms of Union.

"Your petitioners, therefore, humbly pray that Your Excellency take the views expressed in this our petition into your most favorable consideration."

*The Earl of Carnarvon to the Earl of Dufferin.*

DOWNING STREET, 17th November, 1874.

MY LORD,—I duly received your despatch of the 18th September, inclosing an Order in Council setting forth the views of your Ministers as to the proposals contained in my despatch of the 16th August, for the settlement of the controversy between Canada and British Columbia respecting the Pacific Railway. I subsequently again saw Mr. Walkem, and at his request I have delayed the announcement of the terms, which, in my opinion, may properly be laid down as fair and reasonable, until the receipt of a further written communication from him, which has now reached me, and a copy of which I enclose.

The statements thus placed before me are so clear and complete as to assist me materially in appreciating the position in which the question now stands, and in judging without hesitation what modification of the original terms should be adopted. And I would here express my satisfaction at the temperate and forbearing manner in which points involving most important consequences have been argued on both

sides, and the pleasure which I feel in being able to think that asperity of feeling or language may have been, in some degree, avoided, through the opportunity of submitting the whole case to the independent judgment of one who may at least claim to have the interests of both parties equally at heart.

I explained very fully in my despatch of the 16th August, the opinion which I entertained on each of the principal questions at issue, and I need now add but little to the simple statement of my decision. That decision is necessarily, as both parties are aware, in the nature of a compromise, and as such it may, perhaps, fall short of giving complete satisfaction to either. If, on the one hand, your Ministers, as you inform me, consent with reluctance to the further concessions which at an earlier stage I suggested, they will not, on the other hand, fail to bear in mind that even after those concessions are made British Columbia will receive considerably less than was promised to her as the condition of entering the Dominion. I prefer rather to reflect that under the amended terms now to be established British Columbia will, after all, receive very great and substantial advantages from its union with Canada, while the Dominion will be relieved of a considerable part of those obligations which were assumed in the first instance without a sufficient knowledge of the local conditions under which so enormous and difficult an undertaking was to be carried into effect, and to fulfil which would seriously embarrass the resources of even so prosperous a country as Canada.

Adhering then to the same order in which, on the 16th August, I stated the principal points on which it appeared to me that a better understanding should be defined, I now proceed to announce the conclusions at which I have arrived. They are:—

1. That the railway from Esquimault to Nanaimo shall be commenced as soon as possible, and completed with all practicable despatch.

2. That the surveys on the mainland shall be pushed on with the utmost vigor. On this point, after considering the representations of your Ministers, I feel that I have no alternative but to rely, as I do most fully and readily, upon their assurances that no legitimate effort or expense will be spared, first to determine the best route for the line, and secondly to proceed with the details of the engineering work. It would be distasteful to me if, indeed, it were not impossible to prescribe strictly any minimum of time or expenditure with regard to work of so uncertain a nature; but happily, it is equally impossible for me to doubt that your Government will loyally do its best in every way to accelerate the completion of a duty left freely to its sense of honor and justice.

3. That the waggon road and telegraph line shall be immediately constructed. There seems here to be some difference of opinion as to the special value to the Province of the undertaking to complete these two works; but after considering what has been said, I am of opinion that they should both be proceeded with at once, as indeed is suggested by your Ministers.

4. That \$2,000,000 a year, and not \$1,500,000, shall be the minimum expenditure on railway works within the Province, from the date at which the surveys are sufficiently completed to enable that amount to be expended on construction. In naming this amount I understand that, it being alike the interest and the wish of the Dominion Government to urge on with all speed the completion of the works now to be undertaken, the annual expenditure will be as much in excess of the minimum of \$2,000,000 as in any year may be found practicable.

5. Lastly, that on or before the 31st of December, 1890, the railway shall be completed and open for traffic from the Pacific seaboard to a point at the western end of Lake Superior, at which it will fall into connection with existing lines of railway through a portion of the United States, and also with the navigation on Canadian waters. To proceed at present with the remainder of the railway extending by the country northward of Lake Superior, to the existing Canadian lines, ought not, in my opinion, to be required, and the time for undertaking that work must be determined by the development of settlement and the changing circumstances of the country. The day is, however, I hope, not very distant, when a con-



tinuous line of railway through Canadian territory will be practicable, and I therefore look upon this portion of the scheme as postponed rather than abandoned.

In order to inform Mr. Walkem of the conclusions at which I have arrived, I have thought it convenient to give him a copy of this despatch, although I have not communicated to him any other part of the correspondence which has passed between Your Lordship and me.

It will, of course, be obvious that the conclusions which I have now conveyed to you upholds, in the main, and subject only to some modifications of detail, the policy adopted by your Government with respect to this most embarrassing question. On acceding to office your Ministers found it in a condition which precluded a compliance with the stipulations of Union. It became, therefore, their duty to consider what other arrangements might equitably, and in the interests of all concerned, be substituted for those which had failed. And in determining to supplement the construction of some part of the new railway by that vast chain of water communications which nature might seem to have designed for the traffic of a great country, I cannot say that they acted otherwise than wisely. I sincerely trust that the more detailed terms which I have now laid down, as those on which this policy should be carried out, will be found substantially in accordance with the reasonable requirements of the Province, and with that spirit of generous and honorable adherence to past engagements which ought, in an especial degree, to govern the dealings of a strong and populous community with a feebler neighbor, and which I well know to be the characteristic of all parties and statesmen alike within the Dominion of Canada.

I have, &c.,

CARNARVON.

(North America, No. 76.)\*

*Mr. Walkem to the Earl of Carnarvon.*

LONDON, 31st October, 1874.

MY LORD,—I now beg leave respectfully to offer, for Your Lordship's consideration, a recapitulation and review of the main points of the question at issue between Canada and British Columbia, respecting the breach by the former of the railway agreement in the terms of Union.

Although I have been favored by Your Lordship with many and lengthened interviews on the subject, I hope that the grave nature of the interests committed to my care, as well as the important influence which Your Lordship's action at the present time is sure to exercise upon the political and industrial growth of the Province, will be of sufficient excuse for again troubling you.

A written communication of the kind proposed, may also usefully serve to define more clearly some of the views which I have advocated on behalf of the Province.

Before proceeding further, I trust that I may be permitted to tender the expression of my grateful sense of the attention with which Your Lordship has been pleased to receive, not only the statement of the case of British Columbia, as set forth in the petition of its Government, but also the comments upon it which I have from time to time made.

The Provincial Government will be glad to learn—what Your Lordship has been good enough to state—that you have been gratified with the temperate spirit in which their case has been presented for the consideration of Her Majesty's Government.

It was, as I had the honor to mention at my first interview, with a strong feeling of regret that the Government of the Province felt themselves under the necessity of seeking the advice and intervention of Her Majesty's Government in this matter. The Provincial Government desire to work in harmony with the Dominion Government, and I may safely say that such intervention would not have been sought had

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a sufficient effort been made by the Dominion to comply with the spirit of the railway agreement.

The key to the general policy of Her Majesty's Government, in relation to British North America, is, so far as I understand, to be found in the preamble of the Act of Confederation, which briefly declares that "Union would conduce to the welfare of the Provinces \* \* \* federally united \* \* \* and promote the interests of the British Empire." Imperial policy thus declared has also been the policy of Canada. British Columbia, likewise, has endeavored, on her part, loyally to follow it. It is from a due regard for the principles laid down in the Confederation Act, and from a natural and, I hope, proper desire to protect her own special interests as a Province, that British Columbia has protested against the non-fulfilment by Canada of the railway agreement of the terms of Union.

This railway agreement, while purposely and in part framed, as I shall hereafter show, to promote the interests of British Columbia, is not an agreement for the construction of a railway within merely provincial limits for simply provincial purposes. It is an agreement of a much more comprehensive character, designed, in fact, mainly to advance, and indeed to effect, a real Union and consolidation of the British possessions on the continent of North America. In the attainment of this great end, British Columbia is, owing to her present isolation, especially interested.

A short reference to a few facts which led to the Union of the Province with Canada will best explain her true position.

In pursuance of the general Confederation policy declared in 1867, Her Majesty's Government, in 1869, addressed a despatch to the Governor of British Columbia, expressing a desire that British Columbia should be incorporated with Canada. This despatch not only re-states the principles set forth in the Confederation Act, but also shows in what respect they are peculiarly applicable to British Columbia. The following is a quotation from the despatch:—

"Her Majesty's Government," writes the Secretary of State, "anticipate that the interests of every Province of British North America will be more advanced by enabling the wealth, credit and intelligence of the whole to be brought to bear on every part, than by encouraging each in the contracted policy of taking care of itself, possibly at the expense of its neighbor.

"Most especially is this true in the case of internal transit. It is evident that the establishment of a British line of communication between the Atlantic and Pacific oceans is far more feasible by the operations of a single Government, responsible for the progress of both shores of the continent, than by a bargain negotiated between separate, perhaps, in some respects, rival, Governments and Legislatures. The San Francisco of British North America would, under these circumstances, hold a greater commercial and political position than would be attainable by the capital of the isolated colony of British Columbia.

"Her Majesty's Government are aware that the distance between Ottawa and Victoria presents a real difficulty in the way of immediate Union. But that very difficulty will not be without its advantages, if it renders easy communication indispensable, and forces onwards the operations which are to complete it. In any case it is an understood inconvenience, and a diminishing one, and it appears far better to accept it as a temporary drawback on the advantages of Union, than to wait for those obstacles, often more intractable, which are sure to spring up after a neglected opportunity."

Here four propositions are laid down:—

1st. That the Canadian federal system is based upon a union of the "wealth, credit and intelligence" of the several Provinces, which will, when properly applied, promote the welfare of each.

2nd. That to secure this result, easy \* \* \* internal \* \* \* communication" through British territory is "indispensable."

3rd. That the absence of this "easy \* \* \* internal \* \* \* communication," and "the distance between Ottawa and Victoria" constitute "a real difficulty in the way of immediate union."



4th. That this "real difficulty" will operate as a mere "temporary drawback on the advantages of Union," as it will be sure to "force onwards" those "operations" necessary to remove it.

It is to hasten the removal of this "temporary drawback," and to "force onward," in the sense of the above despatch, these necessary operations which have been long deferred, that the Government of British Columbia have sought the intervention of Her Majesty's Government.

The strength of the above propositions, viewed in connection with the general Confederation policy, was fully recognized by the then Government of the Dominion. They agreed with Her Majesty's Government, that without "easy communication" and "internal transit" between Ottawa and Victoria, the union of British Columbia and Canada could not be effective. Afterwards, when the whole matter was practically studied by the Government of the Dominion, it seems to have been their decided opinion that "easy communication" across the continent could mean nothing less than a railway; and that with respect to British Columbia, the "temporary drawback on the advantages" of Confederation, mentioned by Her Majesty's Government, should not be allowed to last for more than ten years from the date of Union.

Hence the Dominion undertook "to secure the commencement, simultaneously," on the 20th July, 1873, "of the construction of a railway from the Pacific towards the Rocky Mountains, and from such point as may be selected east of the Rocky Mountains towards the Pacific, to connect the seaboard of British Columbia with the railway system of Canada; and further, to secure the completion of such railway within ten years from" July, 1871. And British Columbia, on her part, entered into certain obligations in favor of the Dominion, with regard to the public lands of the Province. The word "simultaneously," which appears in this agreement, was designedly inserted with two objects:—

1st. That Canada should commence construction works at the two most available points, and thus ensure the early and rapid progress of the railway; and

2nd. That the admitted disadvantages under which British Columbia would labor until the completion of the main line should, to some extent, be counterbalanced by the benefits of early expenditure upon railway works in the Province.

The agreement thus entered into was inserted in and formed the most essential part of the terms of Union mutually accepted, in 1871, by British Columbia and Canada. These terms were placed before the people of the Province at a general election. They were shortly afterwards considered and formally approved by the Provincial Legislature. They were subsequently fully debated, and accepted by both Houses of the Parliament of Canada; and they were finally sanctioned and ratified by Her Majesty in Council. No question, therefore, could have been more thoroughly ventilated; no conclusion more deliberately arrived at. As a strong practical proof of the continued interest felt by Her Majesty's Government in the success of the Confederation thus established, the Imperial Parliament, in July, 1873, guaranteed a loan of £3,600,000, to be raised by Canada mainly for the construction, among other public works, of the Canada Pacific Railway.

It may now be useful to present to Your Lordship a brief statement of the manner in which the conditions of the railway agreement have been observed.

The petition of the Government of British Columbia shows the following facts:—

That the Province has fulfilled her part of the agreement; and has endeavored to aid the Dominion Government to carry out their part;

That the Dominion Government have not, during the three years succeeding Union, made due effort to complete the railway surveys in British Columbia;

That the Dominion Government did not, on the 20th July, 1873, commence the "simultaneous" railway construction provided for in the agreement;

That they also have hitherto failed to commence any railway construction whatsoever in the Province, though they might have commenced such construction, as they admitted in May last that they were then in a position to begin the railway.

Some further circumstances connected with these matters are detailed in the petition. It is therein shown that in June, 1873, the Dominion Government selected the harbour of Esquimalt, on the Pacific, as the western terminus of the Canadian Pacific Railway; that they, at the same time, decided that a portion of the main line should be "located" between the terminus and Seymour Narrows; that some weeks prior to the day named in the agreement for the commencement of the construction of the main line, they secured from the Provincial Government, "in furtherance of such construction," a reserve of a valuable tract of land lying along the projected line, and some 3,000 square miles in area; that, as already stated, no construction whatsoever was or has been commenced within the Province; that the land so reserved has been thus rendered comparatively valueless to the Province, as it has ever since been closed to settlement and to the investment of capital.

Against the continuance of the above state of things, the Province, through its legislature and its Government, from time to time entered protest after protest, but without effect, and without even eliciting any reply from the Dominion Government, beyond a formal acknowledgment of the receipt of the despatch enclosing each protest. The last protest was forwarded in February of the present year. Subsequently the correspondence took place which is appended to the petition. From the questions raised by this correspondence, all those which are unimportant may be successfully eliminated. I propose, therefore (subject, perhaps, to a slight digression, where necessary), to confine my observations to the principal points in a letter from Mr. Edgar to myself, which contains certain proposals as regards railway matters.

The Provincial Government did not at the time understand that these proposals were officially made. They were subsequently withdrawn by the Dominion Government, and only at the moment of such withdrawal declared by them to have been made with their authority and on their behalf. The above letter, which thus became vested, though but for a brief time, with an authoritative character, is valuable as the only official intimation to the Provincial Government of the policy of the present Dominion Government on the subject of the Pacific Railway. In addition to certain proposals or offers to British Columbia, the letter contains important statements, and some specific admissions, which favor the provincial case.

I shall discuss these offers *seriatim*, and endeavor to ascertain their value taken in connection with the conditions attached to them, which conditions, as I shall afterwards show, virtually amount to a surrender by British Columbia of her existing railway agreement. I shall then offer some comments upon the above statements and admissions, using generally, as far as may be, the language in which they are expressed in the letter, in order to lessen the danger on my part of any inadvertent misconstruction of their meaning.

The offers made are as follows:—

No. 1. The Dominion will "commence construction from Esquimalt to Nanaimo immediately, and push that portion of railway on to completion within the shortest practicable time."

The offer to commence work immediately at Esquimalt (which, as already stated, was selected as the western terminus of the main line by an Order of the Privy Council of Canada as far back as June, 1873) is simply an offer to do what the Dominion was bound to have done in July, 1873, and what they might have done at any time since, and which they admit in this letter was quite practicable in May last. The offer, Your Lordship will notice, is a very limited one. No definite provision is made for the extension of the main line beyond Nanaimo (about 60 miles from Esquimalt); nor, indeed, is any definite period fixed for the completion of even this short portion of the railway, which would take neither much time nor money to construct. The promise to complete it "in the shortest practicable time"—a promise in effect attached to all the offers in the letter—is one which, slightly qualified, is implied in the present and in every other agreement of a similar character, in which no stipulation is inserted for the performance of work within a given time. The phrase is much too elastic in its meaning to admit of any definite interpretation. It may, for the present, therefore, be fairly omitted from special consideration, except as



some evidence of a general intention on the part of the Dominion Government. I must assume, what the language conveys, that the words "the portion of railway," means the Esquimalt and Nanaimo portion or part of the main railway, which is the only railway referred to in the letter. This would tend to show that the position of the terminus is not questioned. No other allusion to the terminus is made in the letter.

No. 2. The Dominion will prosecute and complete the surveys, and then determine "the location of the line upon the mainland."

This promise is reasonable, on the face of it, but it is very vague. In May last the Government of the Dominion informed the Provincial Government that "there was no reason to believe that it would be possible to complete the surveys before the close of the year," 1874. The reasonable inference deducible from this statement is, obviously, that the surveys would be finished at the end of 1874. If a longer period had been deemed necessary for the purpose, the fact would have been stated. Considering the intimation thus given, and looking to the long interval of time that has elapsed without any decision as to the route having been arrived at, it might have been expected that the letter would have positively guaranteed the completion, in 1874, of these and all other indispensable surveys within the Province at least, and have further placed beyond conjecture the commencement of construction works early in 1875. I have been informed by a railway engineer here that as a matter of practice the exploratory surveys settle the general bearing or course of a line of railway, and that the subsequent location surveys may be proceeded with at several points along such line simultaneously, and the work of construction be commenced at those points, without waiting for the actual location of the whole line. Such being the case, there is no valid reason, in view of all the facts above stated, why this practice should not be followed with respect to the Pacific Railway. The general course of the railway within the Province at least, should be determined this year, and location surveys, immediately followed by actual construction, should be commenced early in 1875, at various points on the mainland and on the island. This is what British Columbia above all things desires, and any definite arrangement which will secure her wants in this respect will give the Province much satisfaction.

No. 3. The Dominion will "open up a road and build a telegraph line, along the whole length of the railway in the Province, and carry the telegraph wire across the continent."

The performance of this offer, both as to the road and the telegraph line, would depend, in point of time, upon the performance of the preceding offer (No. 2), as the above works would, according to the letter, only be commenced after the completion of the surveys and the location (within the Province) of the whole line along which they are proposed to be constructed. The fact is known to Your Lordship that the road here meant is a wagon road intended, for a time, at least, to supply the place of the railway. A personal knowledge of the country justifies me in stating that a very large portion of £50,000 or £60,000 required for its construction would be money simply thrown away. I can also unhesitatingly state that the road would, even as a temporary substitute for the railway, be wholly unacceptable to the Province at large, including the farmers and producers of the "interior," in whose interests and for whose benefit it is alleged that the offer is especially made. For the transport of supplies and to meet engineering necessities along the line as railway works progress, a merely passable road is necessary and must be constructed; this, in fact, is all that is required. The telegraph line, when finished, would doubtless be useful, but its construction is a question which should be treated independently of the railway agreement. The railway is what is required, and the people of the Province, would prefer seeing the time and money which are proposed to be expended on the above works appropriated to the larger and infinitely more beneficial enterprise.

No. 4. When the "surveys and road on the mainland can be completed, there shall be in each and every year \* \* \* \* during the construction of the railway, a minimum expenditure upon the works of construction within the Province,

of at least \$1,500,000," and the Dominion "will proceed from the very first with all the works of construction," on the mainland, "that their engineers could sanction."

The expenditure above proposed may be considered, first, in relation to its amount; and next, with reference to the date of its commencement. The amount falls far short of what British Columbia has been led to expect. The cost of the line in British Columbia has been roughly estimated at \$35,000,000 (£7,000,000). Assuming this estimate to be correct, and that ten years would see the completion of the railway, the Province, in accepting the terms of Union, had a fair expectation of an average yearly expenditure within her limits of, say \$3,500,000 (£700,000). After a delay of over three years, with its consequent loss to the Province, it is now proposed by the letter that this amount shall be reduced to the sum of \$1,500,000, (£300,000). Again, dividing the whole cost, \$35,000,000 (£7,000,000), by this sum, a period of twenty-three and a-half years would be obtained as the time required for the completion of the provincial section of the line alone, and this period would be only computed from the date when expenditure would be commenced, and not from the date of the letter. It is true that the expenditure proposed is to represent a minimum outlay, which, after several years, might, for obvious reasons, increase with the progress of the work, but I submit that in estimating the value of this or of any similar proposal the actual figures given—and not contingent amounts which might ever be spent—must be the bases of calculation.

Moreover, not only is the proposed expenditure inadequate, but the period when it is to be begun is left largely open to doubt. The letter states that the expenditure will follow the completion "along the whole length of the railway in the Province," of the waggon road mentioned in offer No. 3. The completion of this road, in turn, has to depend upon the completion of all the surveys, and upon the location of the whole line on the mainland (see offer No. 2); and the completion of these surveys and the location of this line are, in point of time, wholly left open to uncertainty. It is stated that from the "very first" construction work on the mainland will be done in such places as the sanction of the engineers will warrant, but this sanction will naturally be deferred until the expenditure, which has been proposed to cover construction work generally, should be commenced. Taken throughout, no offer could well be more indefinite than the above.

Adding all the uncertainties mentioned to the fixed period of 23½ years (or even to a reduced period), it would appear that the above offer may be described as one of the postponement of the completion of the line within the Province for a lengthened period, possibly until some time in the next century.

Your Lordship will observe, what I must consider an important matter, that all the preceding offers refer and are strictly confined to the British Columbian portion of the railway. The letter is wholly silent as to the extension of the line beyond the eastern frontier of the Province. British Columbia is thus, by implication, virtually requested to surrender one of the elements most important to her in the contract, namely, the right to insist upon all rail communication with the eastern provinces.

I shall now, as proposed, make a few comments upon certain statements and admissions contained in the letter. Probably the most important of the former is the statement that the Dominion Government "are advised by their engineers that the physical difficulties are so much greater than was expected that it is an impossibility to construct a railway within the time limited by the terms of Union, and that any attempt to do so can only result in wasteful expenditure and financial embarrassment." Upon this point the Provincial Government are without any information, save what is afforded by the last report as published of the Chief Engineer of the Dominion Government. A reference to this report would lead the reader to a rather contrary conclusion to that above expressed. On page 34, section 1, the Chief Engineer makes the following statement:—"It may indeed be now accepted as a certainty that a route has been found, generally possessing favorable engineering features, with the exception of a short section approaching the Pacific coast; which route, taking its entire length, including the exceptional section alluded



to, will, on the 'average, show lighter work' and will require less costly structures than have been necessary on many of the railways now in operation in the Dominion." It is worthy of notice that this report, so favorable to the enterprise, is dated only some four months prior to the date of the letter now under discussion. During the interval between these dates, all the surveys in the Province had been suspended. I may further remind Your Lordship that the charter for the construction and completion of the railway in ten years from 1871, according to the terms of Union, was keenly competed for by two separate combinations, including men of great railway experience, large capital, and high position in the Dominion. These companies, apparently, did not consider the undertaking to make the railway within the stipulated time impracticable. On the contrary, up to February, 1873, so eager was the competition and so powerful were the organizations in point of wealth, influence and ability, that the Dominion Government decided to give the charter to neither; and, upon the two companies failing to amalgamate, as suggested by the Government, the Government, under certain powers conferred by Parliament, formed a new company, based upon the principle that each Province should be represented in the undertaking. To this new company a charter was granted on the 5th of February, 1873. With the political or other causes which subsequently led to the surrender of the charter it is not my duty to deal. The strong fact remains, that two responsible and rival companies were willing, and a third undertook, to construct a through line of railway to connect the east and west of the Dominion in eight years from February, 1873. Neither in the prospectus of the successful company nor in the voluminous correspondence which took place previously between the two unsuccessful companies, on the subject of their respective claims to the charter, and of their proposed amalgamation, was any doubt expressed as to the possibility of fulfilling this time obligation. Had such a doubt existed, it is fair to infer that the Dominion Government would have requested the assistance of the Province to remove it. No such request was, however, made.

With respect to the statement before Your Lordship, that the chartered company considered an extension of four years necessary to place the financial success of the enterprise beyond doubt, the Provincial Government are without any information save what is contained in, or may be inferred from, the last paragraph of section 8 of the charter granted to the company, which reads as follows:—The company "shall complete the whole railway within ten years from the said 20th of July, 1871, unless the last mentioned period shall be enlarged by Act of Parliament, in which case the company shall complete the whole railway within such extended period." Admitting, for the sake of argument, however, that such extension of four years was deemed necessary, the completion of the line would not have been deferred beyond 1885. The extract already quoted from the engineer's report, dated, as it is, about twelve months after the date of the charter, and made after a further knowledge of the country had been acquired, tends strongly to confirm the views of the respective companies, that the completion of the railway was practicable in 1881, or, at the furthest, in 1885.

The value of the above facts and correspondence is material, as showing, in the first place, that it was considered all-important that a definite period should be assigned for the execution of a work upon which Confederation hinges; and in the next place, that 1881, or at most 1885, was a reasonable definition of that period.

The Province, after all her disappointments, above all things desires that the "prompt commencement, continuous prosecution" and early completion of the railway shall be definitely assured; or, in the language of the letter, "be guaranteed." The Provincial Government, therefore, strongly but respectfully resist the contention of the Dominion Government, that the commencement, prosecution and completion of the line shall be left open to a doubtful and indefinite period.

The further opening statement in the letter, that the Dominion Government are willing "to enter into additional obligations of a definite character for the benefit of the Province," may be said to have been disposed of as the nature and character of these "obligations" have, in the analysis made of the offers, been already examined. I

all, therefore, pass on to what I have termed the admissions in the letter. The most important of these is an admission which may be inferred from the offer made by the Dominion Government to "commence railway construction immediately from Esquimalt to Nanaimo." Here it is admitted that the Dominion Government were in a position, at least in May last (the date of the letter), if not before, to have begun the railway in the Province. There is, and has been, therefore, no excuse for delay in pushing forward the work.

Of scarcely less importance is a second admission, which reads as follows: "To a country like British Columbia it is conceded, however, to be an important point that not only the prompt and vigorous commencement, but also the continuous prosecution of the work of construction within the limits of the Province, should be guaranteed."

To these two admissions may be added a third, and last: "The Dominion Government, while conceding that railway construction should be commenced at the seaboard of the Province, consider it most important that every effort should be made by them to push forward the construction of the railway on the mainland, in order that the legitimate advantages of expenditure should, as far as possible, fall into the hands of the farmers and producers of the interior."

This is an object which the Provincial Government have much at heart, and strongly desire to see realized.

With the clear and just sense which the Dominion Government thus appear to have of what is due to the Province; with their full appreciation, on the one hand, of the wants of the interior, and, on the other, of the requirements of the island, it might have been expected that they would, as a "Government responsible for the progress of both shores of the continent," at least have given some more definite as well as some practical meaning to their expressions of solicitude for the welfare of the people of the Province.

I have thus dwelt upon the letter at considerable length, as Your Lordship's attention has been specially directed to it in connection with the present case. I receive the following to be a synopsis of its offers and conditions: Canada will commence, on the island, immediate construction of the railway at Esquimalt, and finish about sixty miles of it (time of completion indefinite). On the mainland she will prosecute the surveys for the remainder of the line, and finish these surveys (time also indefinite). She will thereafter "locate" the line falling within the Province (time also indefinite). When this can be achieved, she will make along this "located" line a waggon road (which the Province does not want), and a telegraph line (which the Province has not asked for), and will carry the latter across the continent (time of completion of both road and telegraph line indefinite). Ultimately, after the completion of the surveys and of the road, but not before, Canada will begin and will continue railway works in the Province, and spend thereon, year by year, not less than £300,000 (whether this sum will include the Esquimalt line or not is doubtful). It is the only expenditure offered. As I have shown Your Lordship, Canada thus proposes to ensure to the Province the completion of the line within her limits in twenty-three and a-half years or less, dating from the unknown period at which the offered expenditure can be commenced. Canada will do all this work "in the shortest time practicable," a phrase a shade stronger than the words "with due diligence," three words, the construction of which has given rise to much doubt and much painful litigation. In consideration of these offers (if accepted) British Columbia shall (1st) abandon all claim to the completion of the Canadian Pacific railway within a definite time; and (2nd) shall (virtually, though not quite so expressed) surrender her right to and interest in the completion of about 2,000 miles of the line necessary to connect the eastern frontier with Eastern Canada. Apart from the very objectionable features of the last two conditions, the indefinite character of the above proposals made to the Province is in marked contrast to the statement of the Dominion Government that, "to a country like British Columbia," it is important that the early completion of the railway within her limits should be secured; and therefore, that a guarantee should be given by the Dominion Govern-



ment for "its prompt commencement" (which depends on the prompt completion of the surveys), and also for "its continuous construction" (which depends on yearly specific expenditure). This concludes my remarks upon the letter.

I have endeavored to place before Your Lordship a full history of the position of British Columbia with respect to Confederation. A very unsatisfactory state of affairs has been disclosed, if the question be regarded simply as a question between the Dominion and one of her Provinces. On the part of the Dominion there have been delays, default, and avowal of default, followed by offers and conditions such as I have described.

The peculiar situation of British Columbia, her remoteness, her weak political position, her dependence on the good faith of the Dominion, the hopes that have been held out and deferred, the grievous loss that has ensued, the consequent utter prostration of her interests, all these give her claims upon Canada which the present Dominion Government have, as already shown, to a certain extent, acknowledged in words. These claims the Provincial Government hope will not be overlooked by Your Lordship in considering the reasonable measure of justice to which the Province is entitled under the terms of Union. The Province has not expected anything that is unreasonable, and does not do so now. It is her urgent desire that matters should be forthwith placed on a fair business-like footing, and, above all, on a footing of certainty, with proper safeguards to ensure that certainty, so that a good and cordial understanding may be restored and not again be disturbed.

I have, &c.,

G. A. WALKEM, *President Executive Council, British Columbia.*

OTTAWA, 18th December, 1874.

MY LORD,—I have the honor to transmit to Your Lordship a copy of an Order of the Privy Council, in which my Ministers convey to Your Lordship their best acknowledgment for the pains and trouble you have been good enough to take in promoting the settlement of the difference which had arisen between British Columbia and the Government of the Dominion.

I have, &c.,

DUFFERIN.

The Earl of Carnarvon, &c., &c., &c.

*Copy of a Report of a Committee of the Honorable the Privy Council, approved by His Excellency the Governor General in Council on the 18th December, 1874.*

The Committee of Council have had under consideration the despatch of the Right Hon. Lord Carnarvon, Secretary of State for the Colonies, of 17th November, conveying a statement of the new terms with British Columbia, which, in His Lordship's opinion, may properly be laid down as fair and reasonable, concerning the construction of the Pacific Railway.

In the Minute of 23rd July the Government of the Dominion advised that His Lordship should be informed of their willingness to leave it to him to say whether the exertions of the Government, the diligence shown and the offers made were or were not fair and just, and in accordance with the spirit of the original agreement, seeing it was impossible to comply with the letter of the terms of Union in this particular.

The conclusion at which his Lordship has arrived "upholds," as he remarks, in the main, and subject only to some modifications of detail, the policy adopted by this Government on this most embarrassing question.

The Minute of Council of 17th September contained a statement of reasons showing why some of these modifications should not be pressed, but the Government, actuated by an anxious desire to remove all difficulties, expressed a willingness to make these further concessions rather than forego an immediate settlement of so irritating a question, as the concessions suggested might be made without involving a violation of the spirit of any parliamentary resolution, or the letter of any enactment.

The Committee of Council respectfully request that Your Excellency will be pleased to convey to Lord Carnarvon their warm appreciation of the kindness which he has shown to tender his good offices to effect a settlement of the matter in dispute; and also to assure his Lordship that every effort will be made to secure the realization of what is expected.

Certified.

W. A. HIMSWORTH, *Clerk Privy Council.*

*Earl Carnarvon to Earl Dufferin.*

DOWNING STREET, 4th January, 1875.

MY LORD,—I have the honor to acknowledge the receipt of your despatch of the 3th of December, forwarding to me a copy of an Order of the Dominion Privy Council expressing the acknowledgments of the Government of Canada for the services which I have been fortunate enough to render in promoting the settlement of the differences which had arisen between British Columbia and the Government of the Dominion with respect to the construction of the Pacific Railway.

It has been with great pleasure that I have received this expression of their opinion. I sincerely rejoice to have been the means of bringing to a satisfactory conclusion a question of so much difficulty, of removing, as I trust, all grounds of future misunderstanding between the Province of British Columbia and the Dominion, and of thus contributing towards the ultimate completion of a public work in which they, and indeed the whole Empire, are interested.

I have the honor to be, my Lord,

Your Lordship's most obedient, humble servant,

CARNARVON.

Governor General the Right Hon.

The Earl of Dufferin, K.P., K.C.B., &c., &c., &c.

BRITISH COLUMBIA, GOVERNMENT HOUSE, 31st March, 1874.

SIR,—I have the honor to enclose herewith a Minute of the Executive Council of this Province, together with a copy of the Act respecting articles 2 and 12 of the terms of Union, passed at the recent Session of this Council, 30th March, 1874. Legislature of British Columbia, and to which this Minute refers; and, in accordance with the advice and desire of my Ministers, I beg you to lay this despatch and its enclosure before His Excellency the Governor General, and to commend the request of this Government, expressed in the said Minute, to His Excellency's favorable consideration.

I have the honor to be, Sir, your obedient servant,

JOSEPH W. TRUTCH.

Hon. Secretary of State for Canada.

*Copy of a Report of a Committee of the Honorable the Executive Council, approved by His Excellency the Lieutenant-Governor on the 30th day of March, 1874.*

The Committee of Council have had under consideration a memorandum dated 14th March, 1874, from the Hon. the Minister of Finance, submitting that as authority has been given by the Legislature for the expenditure in excess of revenue of the sum of \$300,000 or thereabouts, it is advisable that immediate steps should be taken to insure that that sum shall be at the call of the Government when required, and recommending that a copy of the "Act to alter the terms of Union, 1874," be sent to the Dominion Government, with the request that the Provincial Government be informed by telegram if it is the intention of the Dominion Government to introduce a corresponding measure to the Parliament of Canada, in order that should a negative answer be returned no time may be lost in obtaining the funds elsewhere, under the powers conferred by the "British Columbia Loan Act, 1874."



The Committee concur with the recommendation of the Minister of Finance, and advise its approval, and request that Your Excellency will be pleased to forward a copy of this report through the proper channel to the Dominion Government, at the same time asking that a measure to complement the Act to alter the terms of Union, 1874, be introduced to the Parliament of Canada, and that a telegram, anticipating any written reply, may be sent to Your Excellency.

Certified.

W. J. ARMSTRONG, *Clerk Executive Council.*

37 Vic.]

# TERMS OF UNION AMENDMENT.

[No. 1.]

An Act respecting Articles 2 and 12 of the Terms of Union.

[Assented to 2nd March, 1874.]

WHEREAS, by Article 2 of the terms of Union between this Province and the Dominion of Canada, Canada became liable for the actual debt due by the Province at the date of Union, and agreed to pay to the Province, half yearly, in advance, interest at the rate of five per centum per annum on the difference between such actual debt and a certain amount, hereinafter called the "allowed debt," which allowed debt has been fixed and determined by chapter 30 of the Acts of the Parliament of the Dominion of Canada, passed in the 30th year of the present reign.

And whereas it has been agreed by and between the Dominion Government and the Provincial Government that notwithstanding the provisions contained in Article 2, and with a view of enabling the Province to undertake the construction of important public works, that the Dominion Government shall pay to the Provincial Government such sums of money together, not exceeding the difference between the actual debt and the said allowed debt, as may from time to time be applied for, and to be charged against such difference of debt aforesaid.

And whereas it has also been agreed by and between the two Governments that the Dominion Government shall pay to the Provincial Government the sum of \$250,000 to aid in the construction of a graving dock at Esquimalt, in lieu of the guarantee of 5 per cent. per annum on £100,000 for ten years, as set forth in Article 12 of the terms of Union.

And whereas the sanction of the Parliament of the Dominion of Canada and of the Legislature of British Columbia is necessary to ratify such agreements.

Therefore Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of British Columbia, enacts as follows:—

1. Notwithstanding anything contained in Article 2 of the terms of Union  
 Respecting Article 2 of terms of Union. aforesaid, it shall be lawful for the Government of British Columbia subject to the above recited conditions, from time to time to apply for and to receive from the Dominion Government such sums of money as shall together not exceed the difference between the actual debt and the allowed debt of the Province.

2. In lieu of Article 12 of the terms of Union aforesaid, it shall be lawful for the  
 Respecting Article 12. Government of British Columbia to apply for and to receive from the Dominion Government \$250,000 in aid of the construction of a graving dock at Esquimalt; and upon payment of such sum Article 12 shall be void and of no effect.

3. It shall be lawful for the Province of British Columbia to refund, at any time  
 Refund of money advanced. to the Dominion, the sums so advanced as aforesaid, to be held upon and subject to the same conditions by the Dominion Government as the money now held by them.

4. Provided, that the provisions of this Act, or any negotiations made or entered into in connection therewith, or the payment by Canada, or the acceptance by British Columbia of any moneys under or by reason thereof, shall not  
 Saving clause. in any manner affect the railway or other clauses of the terms of Union, or operate so as to waive or in any way affect any right or rights which

British Columbia may now or may hereafter possess, for or in respect of any existing breach or breaches, or of any future breach or breaches by Canada of the terms of Union between Canada and British Columbia, or operate as a waiver of the right of the Province to insist upon the commencement and the vigorous prosecution by the Dominion Government of the construction of a railway simultaneously "from the Pacific towards the Rocky Mountains, and from such point as may be selected east of the Rocky Mountains towards the Pacific, to connect the seaboard of British Columbia with the railway system of Canada;" or of the right to have secured the completion of such railway within ten years from the date of the Union, conformably to section 11 of the terms of Union.

5. This Act shall not have any force or effect unless the above proviso be inserted, in the same words, in any Act of the Parliament of Canada  
SUSPENDING clause. which may be passed for the purposes of this Act.

BRITISH COLUMBIA GOVERNMENT HOUSE, 18th May, 1874.

Minute of Executive Council. SIR,—I have the honor to enclose herewith a Minute of the Executive Council of this Province, to state that, in accordance with the advice of  
Tel. Mess., May 18th, 1874. my Ministers therein expressed, I have this day addressed to you a message by telegraph, of which a copy is appended hereto.

I have the honor to be, Sir, your obedient servant,

JOSEPH W. TRUTCH.

Hon. the Secretary of State, Ottawa.

*Lieutenant-Governor to the Honorable W. Scott.*

VICTORIA, 18th May, 1874.

My Ministers request to be informed by telegraph whether Mr. Edgar is empowered to negotiate with this Government, and whether propositions purporting to be made by him, on behalf of the Dominion Government, will be considered binding by that Government.

JOSEPH W. TRUTCH.

DEPARTMENT SECRETARY OF STATE, 10th June, 1874.

SIR,—I have the honor to acknowledge the receipt of your despatch, No. 28, of the 18th ult., purporting to enclose a Minute of your Executive Council, and also copy of a telegram founded thereon, and sent by you to the Secretary of State on the 18th ult., on the subject of the mission of Mr. J. D. Edgar to the Government of British Columbia.

The Minute of Council referred to did not accompany your despatch.

EDOUARD J. LANGEVIN, *Under Secretary of State.*

Hon. the Lieutenant-Governor of British Columbia, Victoria.

BRITISH COLUMBIA, GOVERNMENT HOUSE, 9th June, 1874.

Minute of Council, 9th June. SIR,—With reference to my telegraphic despatch to you of to-day's date, I have the honor to enclose a minute of my Executive Council in accordance with which that telegram was addressed to you, together with copies of the documents referred to in the said Minute, being a copy of a telegram  
Telegram from Hon. A. Mackenzie. to me from the Hon. A. Mackenzie, which, at his request, I communicated to my Ministers, and a draft of the telegraphic message  
Telegram from Lt.-Governor. to you in reference thereto sent by me at the instance of my Ministry.

I have the honor to be, Sir, your obedient servant,

JOSEPH W. TRUTCH.

Hon. the Secretary of State, Ottawa.



COPY of a Report of a Committee of the Honorable the Privy Council, approved by His Excellency the Lieutenant-Governor on the 9th day of June, 1874.

On a memorandum of the 9th day of June, 1874, reporting on a telegram laid before this Council by His Excellency the Lieutenant-Governor yesterday, received by him from the Hon. Alexander Mackenzie, Premier of the Dominion of Canada (copy of which is enclosed), respecting certain proposals in writing made on the 8th day of May last by Mr. Edgar to Mr. Walkem, and recommending that His Excellency be respectfully requested to send the enclosed telegraphic message in reply thereto.

The Committee advise that the recommendation be approved.

Certified.

W. J. ARMSTRONG, Clerk, Executive Council.  
The Hon. A. Mackenzie to Lieutenant-Governor Trutch.

OTTAWA, 8th June, 1874.

On 8th May Mr. Edgar, on behalf of the Dominion Government, made certain proposals to your Government respecting the construction of the Pacific Railway, which involved immediately heavy expenditures for purchases not contemplated by the terms of Union, in consideration of foregoing the limit of time for the completion of the railway.

I exceedingly regret that your Government have not replied to the proposals or apparently considered them. I beg, therefore, that you will now inform your Ministers that the proposals are withdrawn.

A. MACKENZIE.

Lieutenant-Governor Trutch to the Hon. R. W. Scott, Secretary of State.

VICTORIA, 9th June, 1874.

My Ministers request me to state, in reference to a telegram to me from Mr. Mackenzie, dated yesterday, that it conveys the first direct information to this Government, although such information was formally applied for by telegram to you of 18th May, that the views on the railway question, contained in a letter from Mr. Edgar to Mr. Walkem, were proposals to this Government from the Dominion Government, and that they consider it remarkable that the only communication to this Government which acknowledges such proposals as authorization should, at the same time, withdraw them.

JOSEPH W. TRUTCH.

DEPARTMENT SECRETARY OF STATE, 25th June, 1874.

SIR,—I have the honor to acknowledge the receipt of your despatch, No. 39, of the 9th instant, transmitting a copy of a Minute of your Executive Council, together with a copy of a telegram addressed to you by the Hon. the Minister of Public Works, and also of a telegram addressed by you to the Secretary of State, in reply thereto, on the subject of the mission of Mr. J. D. Edgar to British Columbia in connection with the Pacific Railway.

I have, &c.,

EDOUARD J. LANGEVIN, Under Secretary of State.

His Honor the Lieutenant-Governor of British Columbia, Victoria.

BRITISH COLUMBIA, GOVERNMENT HOUSE, 26th June, 1874.

Minute of Ex. Council. SIR,—I have the honor to acknowledge the receipt of your despatch of the 10th instant, referring to my despatch, No. 28, of the 18th May, and informing me that the minute of Executive Council, which my said Copy of telegram. despatch purported to enclose, had not reached you.

I beg to enclose herewith a duplicate copy of the said minute of Council and of the telegram to you based thereon.

I have the honor to be, Sir, your obedient servant,

JOSEPH W. TRUTCH.

Hon. the Secretary of State, Ottawa.

COPY of a Report of a Committee of the Honorable the Executive Council, approved by His Excellency the Lieutenant-Governor on the 18th day of May, 1874.

On a memorandum, dated 16th May, 1874, from the Hon. the Attorney-General, recommending that His Excellency the Lieutenant-Governor be respectfully requested to ascertain by telegraph from the Hon. Secretary of State whether any propositions, purporting to be or to have been made by James D. Edgar, Esq., on behalf of the Dominion Government, will be considered binding by them, and further, whether he has any power to enter into any negotiations with this Government.

The Committee advise that the recommendation be approved.

Certified.

W. J. ARMSTRONG,

*Minister of Finance and Agriculture, and Clerk of the Executive Council.*

Certified as true copy of original report.

JOHN ASH, *Provincial Secretary.*

(Copy Telegram.)

VICTORIA, 10th May, 1874.

My Ministers request to be informed whether Mr. Edgar is empowered to negotiate with this Government, and whether propositions purporting to be made by him on behalf of the Dominion Government will be considered binding by that Government.

JOSEPH W. TRUTCH, *Lieutenant Governor.*

Hon. R. W. SCOTT, Secretary of State, Ottawa, Canada.

DEPARTMENT OF SECRETARY OF STATE, 11th July, 1874.

SIR,—I have the honor to acknowledge the receipt of your despatch, No. 46, of the 26th ultimo, covering a copy of the Minute of your Executive Council, and of the telegram founded thereon, referred to in your despatch, No. 28, of the 18th May last, on the subject of the mission of Mr. J. D. Edgar to British Columbia.

I have, &c.,

EDOUARD J. LANGEVIN, *Under Secretary of State.*

His Honor the Lieutenant Governor of British Columbia, Victoria.

OTTAWA, ONTARIO, 8th June, 1874.

Received at Victoria 8th June.

On 8th May, Mr. Edgar, on behalf of the Dominion Government, made certain proposals to your Government respecting the construction of the Pacific Railway, which involved immediately heavy expenditure for purchases (purposes) not contemplated by the terms of Union, in consideration of foregoing the limit of the time for the completion of the railway.

I exceedingly regret that your Government have not replied to the proposals, or apparently considered them. I beg, therefore, that you will now inform your Ministers that the proposals are withdrawn.

A. MACKENZIE.

To Lieutenant-Governor TRUTCH.

VICTORIA, 9th June, 1874.

My Ministers request me to state, in reference to a telegram to me from Mr. Mackenzie, dated yesterday, that it conveys the first direct information to this Government (although such information was formally applied for by telegram to you of 18th May) that the views on the railway question, contained in a letter from Mr. Edgar to Mr. Walkem, were proposals to this Government from the Dominion Government, and that they consider it remarkable that the only communication to this Government which acknowledges such proposals authoritative should at the same time withdraw them.

JOSEPH W. TRUTCH, *Lieutenant-Governor.*

Hon. R. W. SCOTT, Secretary of State, Ottawa, Canada.



BRITISH COLUMBIA, GOVERNMENT HOUSE, 11th June, 1874.

SIR,—I have the honor to enclose, for the consideration of His Excellency the Governor General a Minute of the Executive Council of this Province, representing that British Columbia is suffering great injury from the failure by Canada to carry out the obligations of the 11th clause of the terms of Union, and that it is advisable, in the interests of this Province, that the case be laid before the Imperial Government by means of a memorial to be presented to the Secretary of State for the Colonies by the Attorney-General of British Columbia, as special agent and delegate of this Government.

In accordance with the advice of my Ministers. I have appointed the Hon. George Anthony Walkem, Attorney-General of this Province, to be such special agent and delegate, and at their request, I beg you to inform His Excellency the Governor General that Mr. Walkem has been duly appointed as such special agent and delegate, and to move his Excellency to acquaint the Right Hon. Her Majesty's Principal Secretary of State for the Colonies, that Mr. Walkem has been authorized and instructed to place in his hands the memorial of this Government, appealing to Her Majesty, and to support the prayer thereof.

Mr. Walkem will proceed to Ottawa by the next mail, and will take with him a duplicate of this despatch.

I have the honor to be, Sir, your obedient servant,

JOSEPH W. TRUTCH.

*COPY of a Report of a Committee of the Honorable the Executive Council, approved by His Excellency the Lieutenant-Governor on the 11th day of June, 1874.*

The Committee of Council have had under consideration the memorandum of the Hon. the Provincial Secretary, dated 11th June, 1874, representing that the essential clause of the terms of Union provided that the Government of the Dominion should secure "the commencement, simultaneously, of the construction of a railway from the Pacific towards the Rocky Mountains, and from such point as may be selected east of the Rocky Mountains towards the Pacific, to connect the seaboard of British Columbia with the railway system of Canada; and further, to secure the completion of such railway within ten years from the date of the Union."

That the set time for commencement of the work passed nearly a year ago, and that no commencement of construction has yet been made.

That the Secretary of State of the Dominion has informed this Government that no commencement can be made this year, in consequence of the surveys being incomplete.

That by Order of the Privy Council of Canada it was decided last year that a portion of the line be located between the harbor of Esquimalt and Seymour Narrows, and that in consequence of that Order, and at the request of the Dominion Government, the lands for a width of twenty miles along that line have been reserved by the Provincial Government.

That the Premier of the Dominion Government has, in an informal manner, but nevertheless in a manner acknowledged to be at the instance of the Dominion Government, offered immediately to undertake the commencement of the work, provided that British Columbia would agree to certain terms of relaxation.

That the relaxation proposed was that British Columbia should agree to cancel the railway clause of the terms as regards the mainland part of the Province, and accept in lieu thereof a promise to build a waggon road after the line of railway had been permanently located, on the completion of which, at an undefined time, railway construction would commence.

That such proposal has, however, been withdrawn.

That according to the preamble of the "Canadian Pacific Railway Act, 1874," the railway is to be constructed "as rapidly as the same can be accomplished without raising the rate of taxation."

That the bearing of the Dominion Government towards British Columbia is equivalent to the repudiation of the liability of the Dominion to fulfil, as far as possible, the engagement made respecting the construction of the Pacific Railway.

That by the course of action taken by the Dominion Government, British Columbia has sustained and is suffering great injury and loss.

That with a view to obtain redress, it is advisable that the case of British Columbia be submitted for the consideration of the Imperial Government.

The Committee concur with the recommendation, and advise that Your Excellency do charge the Hon. the Attorney-General and Provincial Secretary with the preparation of a memorial and remonstrance on behalf of the Provinces regarding the non-fulfilment of the terms of Union by the Dominion Government, to be submitted to Her Most Excellent Majesty the Queen in Council.

The Committee further advise, should this report be approved, that the Hon. George Anthony Walkem be appointed a special agent and delegate instructed to proceed at once to London for the purpose of placing the memorial in the hands of the Right Hon. the Secretary of State for the Colonies, and of supporting the prayer thereof, and request Your Excellency to inform the Governor General of Mr. Walkem's appointment, and ask that he be provided with a suitable introduction to Her Majesty's Principal Secretary of State for the Colonies.

Certified.

W. J. ARMSTRONG, *Clerk Executive Council.*

BRITISH COLUMBIA, GOVERNMENT HOUSE, 11th June, 1874.

SIR,—I have the honor to enclose, with reference to my telegraphic despatch to you of this day's date, a Minute of my Executive Council, in accordance with the Minutes of Executive Council. Hon. the Secretary of State for the Colonies, a transcript of which was therein reported for the information of His Excellency the Governor General, were addressed.

I have the honor to be, Sir, your obedient servant,

JOSEPH W. TRUTCH.

Hon. the Secretary of State, Ottawa.

*Copy of a Report of a Committee of the Honorable the Executive Council, approved by His Excellency the Lieutenant-Governor on the 11th day of June, 1874.*

On a memorandum, dated 11th June, 1874, from the Hon. the Provincial Secretary, reporting, with reference to the breach of the terms of Union by the Dominion Government, and the appeal to the Imperial Government thereon arising, that it is advisable that a telegram be sent to the Imperial Government, informing them that British Columbia is about to appeal against the breach by the Dominion Government of the terms of Union, and that a delegate from this Government is about to leave for London to lay such appeal before the Imperial Government.

The Committee concur, and advise that Your Excellency do telegraph to that effect to the Right Hon. the Secretary of State for the Colonies, and also, through the proper channel, to His Excellency the Governor General, for the information of the Dominion Government.

Certified.

W. J. ARMSTRONG, *Clerk Executive Council.*

BRITISH COLUMBIA, GOVERNMENT HOUSE, 11th June, 1874.

SIR,—I have the honor to enclose, for the information of His Excellency the Governor General, a copy of despatch this day addressed by me to the Right Hon. the Secretary of State for the Colonies, with reference to my telegram to His Lordship of this day's date, a transcript of which has already been telegraphed to you.

I have the honor to be, Sir, your obedient servant,

JOSEPH W. TRUTCH.

Hon. the Secretary of State, Ottawa.



*Lieutenant-Governor to Earl Carnarvon.*

11th June, 1874.

MY LORD,—I have the honor to state that I have this day, at the instance of my responsible advisers, addressed to Your Lordship a telegraphic despatch to the following effect:—"Colonial Secretary, London, eleventh June—Ministry desire notify you that delegate proceed immediately London present appeal British Columbia against breach by Canada railway terms Union."

I have, &c.,

JOSEPH W. TRUTCH.

DEPARTMENT OF SECRETARY OF STATE, OTTAWA, 11th July, 1874.

SIR,—I have the honor to acknowledge the receipt of your despatch, No. 40, of the 11th ult., concerning a copy of a Minute of your Executive Council in reference to the alleged failure by the Dominion Government to carry out the obligations of the 11th clause of the terms of Union, and recommending that the case be laid before the Imperial Government by means of a memorial, to be presented to the Secretary of State for the Colonies by the Attorney-General of British Columbia, as special agent and delegate of the Government of that Province.

EDOUARD J. LANGEVIN, *Under Secretary of State.*

His Honor the Lieutenant-Governor of British Columbia, Victoria.

*COPY of a Report of a Committee of the Honorable the Privy Council, approved by His Excellency the Governor General in Council on the 8th July, 1874.*

On a despatch, dated 11th June, 1874, from His Honor the Lieutenant-Governor of British Columbia, enclosing a Minute of the Executive Council of that Province, representing that British Columbia is suffering great injury from the failure by Canada to carry out the obligations of the 11th clause of the terms of Union, and that it is advisable, in the interests of that Province, that the case be laid before the Imperial Government by means of a memorial, to be presented to the Secretary of State for the Colonies by the Attorney-General of British Columbia, as special agent and delegate of that Government.

The Lieutenant-Governor states that, in accordance with the advice of His Ministers, he has appointed the Hon. Geo. Anthony Walkem, Attorney-General of that Province, to be such special agent and delegate, and at their request he begs that Your Excellency be informed that Mr. Walkem has been duly appointed as such special agent and delegate, and that Your Excellency be moved to acquaint the Right Hon. Her Majesty's Principal Secretary of State for the Colonies that Mr. Walkem has been authorized and instructed to place in his hands the memorial of that Government appealing to Her Majesty, and to support the prayer thereof.

On the recommendation of the Hon. the Secretary of State, the Committee advise that the above request be acceded to.

Certified.

W. A. HIMSWORTH, *Clerk Privy Council.*

Hon. the Secretary of State, &c., &c., &c.

DEPARTMENT OF SECRETARY OF STATE, OTTAWA, 11th July, 1874.

SIR,—I have the honor to transmit to you a certified copy of an Order of His Excellency the Governor General in Council, on a despatch of His Honor the Lieutenant-Governor of British Columbia, under date the 11th ult., relative to the alleged failure of the Government of the Dominion to carry out the obligations of the 11th clause of the terms of Union.

In reference to the request of the Lieutenant-Governor, that the Right Hon. the Secretary of State be informed that you have been authorized by the Government of British Columbia as their special agent and delegate to submit their memorial appealing to Her Majesty, and to support the prayer thereof, I have to state that a

despatch to that effect will be addressed by the Governor General to the Earl of Carnarvon.

I have, &c.

R. W. SCOTT, *Secretary of State.*

Hon. G. A. WALKEM, Attorney-General, British Columbia, Ottawa.

OTTAWA, 11th July, 1874.

SIR,—As Mr. Himsworth arrived from Tadousac last night, I have the honor to request you to furnish me—to-day, if possible—with the documentary authority necessary to officially accredit me as delegate from the Government of British Columbia to Her Majesty's Government. The object of my mission has already been stated in a despatch of last June from the Government of the Province to the Dominion Government.

It is of importance that I should leave for England and bring my work to a close with all convenient speed; hence my request that you will provide me with my letters to-day.

I have the honor to be your obedient servant,

GEO. A. WALKEM, *Attorney-General, B. C.*

Hon. the Secretary of State, &c., &c., &c.

DEPARTMENT OF SECRETARY OF STATE, OTTAWA, 13th July, 1874.

SIR,—With reference to my letter of the 11th inst., I have the honor to transmit to you, for the information of your Government, a copy of an Order of His Excellency the Governor General in Council, and of a letter addressed to Mr. Attorney-General on 7th July, 1874. Walkem, on the subject of the alleged failure of the Dominion Government to carry out the obligations of the 11th clause of the terms of Union.

EDOUARD J. LANGEVIN, *Under Secretary of State.*

Hon. the Lieutenant-Governor of British Columbia, Victoria.

BRITISH COLUMBIA, GOVERNMENT HOUSE, 28th July, 1874.

SIR,—I have the honor to state that I have received and laid before my Executive Council your despatch of the 13th instant, transmitting a copy of an Order of His Excellency the Governor General in Council, and of a letter to Mr. Attorney-General Walkem, on the subject of Mr. Walkem's mission to England in support of the memorial of this Government to Her Majesty, with reference to the railway article of the terms of Union of this Province with Canada.

I have the honor to be, Sir, your obedient servant,

JOSEPH W. TRUTCH.

Hon. the Secretary of State, Ottawa.

OTTAWA, 20th May, 1874.

I refer Ministry to my letter by Mr. Edgar, which sufficiently indicated his mission, and which they recognized. He is now recalled, and I await his return and report.

A. MACKENZIE.

Lieutenant-Governor TRUTCH, Victoria.

OTTAWA, 13th July, 1874.

SIR,—I have the honor to forward to you, for your perusal, and for the information of your Government, two copies of the protest of the British Columbia Government against the breach or infraction of the "terms of Union" with Canada by the Dominion Government, which I have been authorized to present in person to Her Majesty's



Government. Two copies of the charts referred to in the protest are also herewith forwarded.

May I request you to be good enough to acknowledge their receipt.

I have the honor to be, your obedient servant,

GEO. A. WALKEM, *Attorney-General, B. C.*

Hon. ALEX. MACKENZIE, Premier Dominion Government.

DEPARTMENT OF SECRETARY OF STATE, OTTAWA, 13th July, 1874.

SIR,—I am directed to acknowledge the receipt of your letter of this date, addressed to the Hon. Mr. Mackenzie, transmitting two copies of the protest of the British Columbia Government against the alleged breach or infraction of the terms of Union with Canada by the Dominion Government, which you have been authorized to present in person to Her Majesty's Government; and also forwarding two copies of the chart referred to in the protest.

I have, &c.,

EDOUARD J. LANGEVIN, *Under Secretary of State.*

Hon. G. A. WALKEM, Attorney-General of British Columbia, Ottawa.

DOWNING STREET, 18th June, 1874.

MY LORD,—The intimation which I have received by telegraph of the departure from British Columbia of the President of the Council and Attorney-General of that Province, sent to this country for the purpose of appealing against the course proposed by your Government, and sanctioned by the Dominion Parliament, in regard to the Pacific Railway, together with the reports of the proceedings in that Parliament, and other informal communications, have led me to apprehend that the difference of opinion which has unfortunately occurred may not only prove difficult to adjust, but may not impossibly, if it remains long unsettled, give rise to feelings of dissatisfaction and to disagreements, the existence of which, within the Dominion, would be a matter of serious regret.

2. It is not my wish, nor is it a part of my ordinary duty, to interfere in these questions. They appear to me to be such as it should be within the province and the competency of the Dominion Government and Legislature to bring to a satisfactory solution; and you will readily understand that Her Majesty's Government would be very reluctant to take any action which might be construed as expressing a doubt of the anxiety of the Dominion Government and Parliament to give the fullest consideration to such representations as may be made on the part of British Columbia, and to deal in the fairest and most liberal spirit with what may be established as being the just claims of that Province.

3. At the same time I am strongly impressed with the importance of neglecting no means that can properly be adopted for effecting the speedy and amicable settlement of a question which cannot, without risk and obvious disadvantage to all parties, remain the subject of prolonged, and it may be, acrimonious discussion; and it has occurred to me that as in the original terms and conditions of the admission of British Columbia into the Union, certain points (as, for example, the amount of land to be appropriated for the Indians, and the pensions to be assigned to public officers deprived of employment) were reserved for the decision of the Secretary of State, so in the present case, it may possibly be acceptable to both parties that I should tender my good offices in determining the new points which have presented themselves for settlement. I accordingly addressed a telegram to you yesterday, to the effect that I greatly regretted that a difference should exist between the Dominion and the Province in regard to the railway, and that if both Governments should unite in desiring to refer to my arbitration all matters in controversy, binding themselves to accept such decision as I may think fair and just, I would not decline to undertake this service.

4. The duty which, under a sense of the importance of the interests concerned, I have thus offered to discharge, is, of course, a responsible and difficult one, which I could not assume, unless by the desire of both parties; and unless it should be fully

agreed that my decision whatever it may be, shall be accepted without any question or demur. If it is desired that I should act in this matter, it will be convenient for each party to prepare a statement to be communicated to the other party, and after a reasonable interval, a counterstatement, and that on these written documents I should, reserving, of course, to myself, the power of calling for any other information to guide me in arriving at my conclusion, give my final decision.

5. I request you to transmit a copy of this despatch with the utmost possible speed to the Lieutenant-Governor of British Columbia. I have communicated to Mr. Sproat, the agent for British Columbia, for transmission by telegraph to the Government of that Province, the purport of the telegram which I addressed to you yesterday, in order that my offer may come before both parties as soon as possible.

I have the honor to be, my Lord, yours, &c.,

CARNARVON.

VICTORIA, B.C., 4th August, 1874.

Copy of Telegram.)

My Ministers request me to state, for the information of the Governor General, that the following message, namely, "Colonial Secretary, London, 3rd August—Upon advice of responsible Ministers I accept, on behalf of British Columbia, arbitration offered in your despatch to Lord Dufferin, 18th June. Please acknowledge. Joseph V. Trutch, Lieutenant-Governor British Columbia" has been this day telegraphed to Lord Carnarvon.

JOSEPH W. TRUTCH, *Lieutenant-Governor*.

Hon. R. W. SCOTT, Secretary of State.

BRITISH COLUMBIA, GOVERNMENT HOUSE, 3rd August, 1874.

SIR,—I have the honor to transmit to you, for the information of His Excellency the Governor General, a copy of a despatch addressed by me to Her Majesty's Principal Secretary of State for the Colonies, expressing the acceptance by this Government of the offer made by His Lordship in his despatch of the 18th June, to the Governor General, to arbitrate in the difference existing between the Government of Canada and this Province in relation to the railway article of the terms of Union, together with a copy of the Minute of the Executive Council of British Columbia herewith enclosed, expressing the opinions and advice of my responsible Ministers upon Lord Carnarvon's proffered arbitration, and in accordance with which my said despatch to His Lordship, and the telegraphic message herein referred to, and of which a copy is appended, as well as this communication and the telegram to you of this day's date, a copy of which is also attached hereto, are at the same time despatched.

I have the honor to be, Sir, your obedient servant,

JOSEPH W. TRUTCH.

Hon. the Secretary of State, Ottawa.

*Lieutenant-Governor to Earl Carnarvon.*

3rd August, 1874.

MY LORD,—I have the honor to state that on the 28th ultimo I received and laid before my responsible advisers a copy of Your Lordship's despatch, of the 18th June, to Governor General the Earl of Dufferin, upon the pending difference between this Province and the Government of Canada, in relation to the railway article of the terms of Union, which despatch was transmitted to me by Lord Dufferin on the 3rd ultimo, in accordance with Your Lordship's instructions.

I now enclose a Minute of the Executive Council of this Province on your said despatch, and upon the advice of my Ministers thereon expressed I beg to signify my cordial acceptance, on behalf of the Government of British Columbia, of Your Lordship's proffered arbitration, in accordance, in all respects, with the conditions laid



down by you in your said despatch, and to state that I have to-day despatched a telegraphic message to you to this effect, of which a copy is appended.

A copy of this despatch and enclosures therewith will be sent by this mail to the Secretary of State for Canada, for the information of the Governor General of Canada.

I have, &c.,

JOSEPH W. TRUTCH.

*Copy of a Report of a Committee of the Honorable the Executive Council, approved by His Excellency the Lieutenant-Governor on the 3rd day of August, 1874.*

The Committee of Council have had under consideration the proposal for a reference to arbitration of the question between the Province and the Dominion Government respecting the fulfilment of the terms of Union contained in the despatch dated 18th June, 1874, from the Right Hon. the Earl of Carnarvon, Her Majesty's Principal Secretary of State for the Colonies, to His Excellency the Governor General, a copy of which has been transmitted for the information of Your Excellency and referred to them for report.

In this despatch the Secretary of State observes that he is strongly impressed with the importance of neglecting no means that can properly be adopted for effecting the speedy and amicable settlement of a question which cannot, without risk and obvious disadvantage to all parties, remain the subject of prolonged, and, it may be, acrimonious discussion.

That it has occurred to him that as in the original terms and conditions of the admission of British Columbia into the Union certain points were reserved for the decision of the Secretary of State, so, in the present case, it may possibly be acceptable to both parties that he should tender his good offices in determining the new points which have presented themselves for settlement.

That if both Governments should unite in desiring to refer to his arbitration all matters in controversy, binding themselves to accept such decision as he may think fair and just, he would not decline to undertake this service.

That the duty which, under a sense of the importance of the interest concerned, he has thus offered to discharge, is, of course, a responsible and difficult one, which he could not assume unless by the desire of both parties; nor unless it should be fully agreed that his decision, whatever it may be, shall be accepted without any question or demur.

The Committee concur with the Secretary of State in regretting that a difference exists between the Dominion and this Province in regard to the railway, and that it is most desirable for all parties that all the questions in controversy should receive a speedy and amicable settlement, and they are of opinion that a reference to arbitration is the course of all others most likely to lead to so desirable a result.

They therefore advise the cordial acceptance by Your Excellency of the arbitration of the Secretary of State, in accordance with the conditions laid down in His Lordship's despatch of the 18th June, 1874, and should this report be approved they recommend that the acceptance by this Government, on behalf of British Columbia, of the arbitration of the Right Hon. the Secretary of State for the Colonies, be immediately communicated by Your Excellency to that Minister by telegraph and by mail, and that copies of such communications be transmitted simultaneously to the Secretary of State for Canada, for the information of His Excellency the Governor General.

Certified.

W. J. ARMSTRONG,

*Minister of Finance, and Clerk of the Executive Council.*

*Lieutenant-Governor to Earl Carnarvon.*

LONDON, 3rd August.

Colonial Secretary :

Upon advice of responsible Ministers, I accept, on behalf of British Columbia, arbitration offered in your despatch to Lord Dufferin, eighteenth June. Please acknowledge.

JOSEPH W. TRUTCH, *Lieutenant-Governor British Columbia.*  
*Lieutenant-Governor to Secretary of State.*

VICTORIA, B.C., 3rd August, 1874.

My Ministers request me to state, for the information of the Governor General, at the following message, viz. :—

“LONDON, 3rd August.

Colonial Secretary.

“Upon advice of responsible Ministers, I accept, on behalf of British Columbia, arbitration offered in your despatch to Lord Dufferin, 18th June. Please acknowledge.

“JOSEPH W. TRUTCH, *Lieutenant-Governor British Columbia.*”

Has been this day telegraphed to Earl Carnarvon.

JOSEPH W. TRUTCH, *Lieutenant-Governor.*

Hon. R. W. SCOTT, Secretary of State, Ottawa, Canada.

DEPARTMENT SECRETARY OF STATE, 10th September, 1874.

SIR,—I have the honor to acknowledge the receipt of your despatch, No. 53, of the 3rd instant, and its enclosures, transmitting, for the information of His Excellency the Governor General, a copy of a despatch addressed by you to the Right Hon. the Secretary of State for the Colonies, expressing the acceptance by your Government of His Lordship's offer, as conveyed in his despatch of the eighteenth of June last, to arbitrate in the difference between the Government of British Columbia and the Dominion, in relation to the railway article of the terms of Union.

Your despatch will be submitted for the consideration of the Government.

I have, &c.,

EDOUARD J. LANGEVIN, *Under Secretary of State.*

Hon. the Lieutenant-Governor of British Columbia, Victoria.

OTTAWA, 4th July, 1874.

SIR,—I have been informed that you intend to leave for Quebec to-day. If this is the case, may I be excused for pressing upon your attention my present very unsatisfactory position, in having received no definite information respecting my credentials to the Right Hon. the Principal Secretary of State.

It is considered of great importance by the Government of British Columbia that I should use all possible despatch in executing my mission to England.

May I therefore request you to inform me when I shall be put in possession of the necessary authority to enable me to accomplish my task ?

I have the honor to be, your obedient servant,

GEO. A. WALKEM.

Hon. A. MACKENZIE, &c., &c., &c.

OTTAWA, 4th July, 1874.

SIR,—In reply to your letter to Mr. Mackenzie, of this morning's date, enquiring when you can procure your credentials as delegate of British Columbia to the Imperial Government, I have the honor, by request of Mr. Mackenzie, to say that the necessary Minute of Council has already been forwarded to His Excellency the



Governor General for His Excellency's signature, and that it will be delivered to you immediately after the special messenger returns with it to the city.

I have the honor to be, Sir, your obedient servant,

WM. BUCKINGHAM.

GEO. A. WALKER, &c., &c., &c., Ottawa.

## PAPERS

Relating to applications to the Dominion Government for advances under Act No. 4 of the Statutes of 1875.

By Command,

JOHN ASH, *Provincial Secretary.*

Provincial Secretary's Office, 17th January, 1876.

*The Lieutenant-Governor to the Hon. the Secretary of State for Canada.*

GOVERNMENT HOUSE, 28th April, 1875.

SIR,—I have the honor to enclose herewith, for the consideration of His Excellency the Governor General, a Minute of my Executive Council, requesting me, under the circumstances stated in the said Minute, to apply to the Dominion Government for the payment to the Province of certain sums of money, viz.: \$189,150 and \$250,000, making a total of \$439,150, and I beg, therefore, to make application accordingly for the payment of this sum of \$439,150 to the Province by the Government of Canada, under the provisions of the Act 37 Vic., chap. 17, of the statutes of Canada, and of the Act of British Columbia passed at the last Session of the Legislative Assembly, entitled: "An Act respecting the construction of a Graving Dock at Esquimalt and of Provincial Public Works," a copy of which latter Act is appended hereto.

I have, &c.,

JOSEPH W. TRUTCH.

*COPY of a Report of the Honorable the Executive Council, approved by His Excellency the Lieutenant-Governor on the 26th of April, 1875.*

On a memorandum, dated 23rd April, 1875, from the Hon. the Minister of Finance and Agriculture, reporting that the Government have obtained, as a temporary loan, from the Bank of British Columbia, the sum of \$189,150, which loan was to have been paid off on 1st of May, 1875. And whereas the Parliament of Canada passed an Act in the year 1874, giving the Governor in Council power to advance, from time to time, to any Province of Canada, such sums as may be required for local improvements, not exceeding in the whole the amount by which the debt of the Province for which Canada is responsible falls short of the debt with which the Province was allowed to enter the Union, such advances to be deemed additions to the debt of the Province.

And whereas the Legislative Assembly of British Columbia has passed an Act authorizing the Government to apply for and receive such sums from Canada, from time to time, as may be required, not to exceed in the aggregate the sum as set forth in the said Acts.

The Minister of Finance and Agriculture therefore recommends that Your Excellency be requested to apply to the Dominion Government, asking them to pay to the Province the following sums, viz.: \$189,150, expended on local improvements during the year 1874, and a further sum of \$250,000 to be expended on local improvements during the year 1875.

The Committee advise that the recommendation be approved.

Certified,

W. J. ARMSTRONG, *Clerk Executive Council.*

*The Under Secretary of State to the Lieutenant-Governor.*

OTTAWA, 17th May, 1875.

SIR,—I have the honor to acknowledge the receipt of your despatch, No. 30, of the 28th ultimo, enclosing a Minute of your Executive Council, applying for the payment by the Dominion Government to the Government of British Columbia of the sum of \$49,150, under the provisions of the Act 37 Vic., chap. 17, of the statutes of Canada.

I have, &c.,  
EDOUARD J. LANGEVIN.

*The Lieutenant-Governor to the Hon. the Secretary of State for Canada.*

GOVERNMENT HOUSE, 2nd June, 1875.

SIR,—With reference to my despatch to you, No. 30, of the 28th April last, the receipt of which is acknowledged by your despatch of the 17th ultimo, received yesterday, I have the honor to enclose a copy of a Minute of my Executive Council, which my Ministers request me to telegraph to the Government of the Dominion, asking whether the advances applied for by my said despatch, or any portion thereof, will be made, and, if so, at what periods.

In accordance with the request expressed in this Minute, I have this day addressed you the telegram message, a transcript of which is appended hereto.

I have, etc.,  
JOSEPH W. TRUTCH.

*Copy of a Report of the Honorable the Executive Council, approved by His Excellency the Lieutenant-Governor on the 1st June, 1875.*

On a memorandum, dated 1st June, 1875, from the Hon. the Minister of Finance and Agriculture, reporting that an Order in Council was passed on the 26th April last, and forwarded by His Excellency the Lieutenant-Governor to the Government of the Dominion of Canada, asking them for certain advances of money, which they are authorized to make under an Act of the Dominion passed on the 26th of May, 1874, and as no answer has been received, the Minister of Finance and Agriculture recommends that His Excellency the Lieutenant-Governor be respectfully requested to telegraph to the Government of the Dominion of Canada asking if the Government of the Dominion are disposed to make the advance asked for, or any part of it, and, if so, when?

The Committee advise that the recommendation be approved.

Certified.

W. J. ARMSTRONG, *Clerk Executive Council.*

**TELEGRAM**—*Lieutenant-Governor Trutch to the Secretary of State.*

VICTORIA, 2nd June, 1875.

My Ministers desire me to request that this Government may be informed, as soon as possible, whether the Government of Canada will make the advances applied for by my despatch, No. 30, of 28th April last, or any portions thereof, and if so, at what periods.

JOSEPH W. TRUTCH.

**TELEGRAM**—*The Hon. R. W. Scott to the Lieutenant-Governor.*

OTTAWA, 3rd June, 1875.

Despatch sent 25th May, also cheque for \$189,000.

R. W. SCOTT.



*The Under Secretary of State to the Lieutenant-Governor.*

OTTAWA, 25th May, 1875.

(Received 11th June.)

SIR,—With reference to my letter of the 17th instant, I am directed to transmit to you herewith, for the information of your Government, a copy of an Order of His Excellency the Administrator of the Government in Council, in reference to their application for the sum of \$439,150, being \$189,150 for local improvements in 1874, and \$250,000 for local improvements in 1875.

I have, &amp;c.,

EDOUARD J. LANGEVIN.

*COPY of a Report of a Committee of the Honorable the Privy Council, approved by His Excellency the Administrator in Council on the 20th May, 1875.*

Upon the application of the Government of British Columbia for the sum of \$439,150, whereof \$250,000 is asked for on account of the graving dock, the remainder for local improvements, the whole to be advanced in accordance with the provisions of 37 Vic., chap. 17.

The Hon. the Minister of Finance, to whom this application has been referred, observes, in a report dated 19th May, 1875, that with respect to the sum asked for the construction of a graving dock, certificates of progress of work are required by the terms of the Act, and that such certificates have not, so far as he is aware, been furnished by the Government of British Columbia.

With respect to the remaining advances, he further observes that it is entirely optional with the Government of the Dominion to advance any sums on said account; and, inasmuch as inconvenience may arise if expenditure should be undertaken in any of the Provinces, under the impression that the Local Government or Legislature are at liberty to draw at pleasure for the balance of debt referred to in said Act, he suggests that the Secretary of State be directed to notify the local authorities of the several Provinces that the consent of the Government of Canada must be expressly obtained before any advance on account of local improvements, as specified in the above Act, is authorized; but that the sum of \$189,150 having been spent by the Columbia Government, it is recommended that this sum be paid.

The Committee concur in the foregoing report, and submit the same for Your Excellency's approval.

Certified.

W. A. HIMSWORTH, *Clerk Privy Council.**The Lieutenant-Governor to the Honorable the Secretary of State for Canada.*

GOVERNMENT HOUSE, 23rd June, 1875.

SIR,—With reference to the copy transmitted in your despatch to me of the 23rd inst., of an Order of His Excellency the Administrator of the Government in Council, upon the application of this Government for the sum of \$439,150, of which the sum of \$189,150 has been subsequently paid over to this Province, I have the honor to enclose a copy of a further Minute of my Executive Council, stating that no portion of the money so asked for is intended to be applied to the construction of the graving dock, as seems from the Order in Council to have been supposed by the Hon. the Minister of Finance of Canada, and requesting that under the circumstances set forth in this Minute the further sum of \$250,000, being the remainder of the sum of \$439,150 applied for, be paid over to this Province, to meet expenditures already incurred or about to be undertaken upon local works. In accordance with the advice of my Ministers, I beg to recommend this Minute to the favorable consideration of His Excellency the Administrator of the Government.

I have, &amp;c.,

JOSEPH W. TRUTCH.

*COPY of a Report of a Committee of the Honorable the Executive Council approved by His Excellency the Lieutenant-Governor on the 22nd day of June, 1875.*

On a memorandum, dated 16th day of June, 1875, from the Hon. the Minister of Finance and Agriculture, reporting on a Minute of the Hon. the Privy Council, dated 20th May, 1875, in which it is assumed that, of the \$439,150 asked for an advance from Canada, under the provisions of 37 Vic., chap. 17, the sum of \$250,000 is on account of the construction of the Esquimalt graving dock.

The Minister of Finance and Agriculture remarks that no portion of the \$439,150 was or is intended to be applied to the construction of the dock; that the sum of \$189,150 was spent last year on public works (exclusive of the dock); and that the balance of \$250,000 is to cover and meet expenditure upon public buildings, roads, bridges and surveys throughout the Province; that the contracts therefore made, with a few exceptions, been already awarded, and that great inconvenience and embarrassment will result to the Province if the advance of the \$250,000 asked for be not granted. The Minister further states that no intimation, other than that contained in the Minute of the Privy Council, has hitherto been given that "the consent of the Government of Canada must be expressly obtained before any advance on account of local improvements, as specified in the above Act, is authorized;" and he recommends that the Dominion Government be respectfully asked, under the circumstances, to authorize the advance of the \$250,000 asked for, in addition to the sum of \$189,150, which that Government have agreed to advance, and that, for the future, the express consent of the Dominion Government be obtained to draw upon them for moneys intended to be expended under the terms of the 37 Vic., chap. 17.

The Committee concur in the above recommendation, and advise that Your Excellency will be pleased to forward to the Hon. the Secretary of State a copy of this Minute (if approved), together with a request that the Dominion Government will, under the circumstances, be pleased to advance the sum of \$250,000, the balance of the \$439,150 already applied for.

Certified.

W. J. ARMSTRONG, *Clerk of Executive Council.*

*The Lieutenant-Governor to the Honorable the Secretary of State for Canada.*

GOVERNMENT HOUSE, 11th August, 1875.

SIR,—I have the honor to enclose herewith a copy of a Minute of my Executive Council, requesting that I would telegraph to the Government of the Dominion to inquire whether they are disposed to make the advance to this Government which was applied for by my despatch of the 23rd June last.

I also enclose a transcript of the telegram which I accordingly addressed to you to-day.

I have, etc.,

JOSEPH W. TRUTCH.

*COPY of a Report of a Committee of the Honorable the Executive Council, approved by His Excellency the Lieutenant-Governor on the 11th August, 1875.*

On a memorandum, dated 9th August, 1875, from the Hon. the Minister of Finance and Agriculture, reporting that an Order in Council was passed on the 2nd June last, and forwarded by His Excellency the Lieutenant-Governor to the Government of the Dominion of Canada, asking them for an advance in accordance with 37th Vic., chap. 17, of \$250,000, and as no answer has been received, the Minister of Finance and Agriculture recommends that His Excellency the Lieutenant-Governor be respectfully requested to telegraph to the Government of the Dominion, asking them if they are disposed to make the advance asked for.

The Committee advise that the recommendation be approved.

Certified.

W. J. ARMSTRONG, *Clerk Executive Council.*



TELEGRAM—*Lieutenant-Governor Trutch to the Honorable R. W. Scott, Secretary of State.*

VICTORIA, B.C., August 11th, 1875.

My Ministers request to be informed whether Dominion Government are disposed to make advances to this Government applied for by my despatch of the 23rd June last.

JOSEPH W. TRUTCH.

TELEGRAM—*The Under-Secretary of State to Lieutenant-Governor Trutch.*

OTTAWA, 14th August, 1875.

Immediate—Your despatch of 23rd June last answered on 3rd instant. Answer unfavorable.

EDOUARD J. LANGEVIN.

*The Under Secretary of State to the Lieutenant-Governor.*

OTTAWA, 3rd August, 1875.

(Received 30th August.)

SIR,—With reference to your despatch, No. 37, of the 23rd June last, and its enclosures, I am directed to transmit to you, for the information of your Government, a copy of an Order of His Excellency the Administrator of the Government in Council, on the application contained in your despatch for a further advance of \$250,000, to be charged against the debt of the Province of British Columbia, under the provisions of the statute 37 Vic., chap. 17.

I have, etc.,

EDOUARD J. LANGEVIN.

*COPY of a Report of a Committee of the Honorable the Privy Council, approved by His Excellency the Administrator of the Government in Council on the 28th July, 1875.*

The Committee have had under consideration the report, dated the 21st day of July, instant, from the Hon. the Minister of Finance, relative to the request of the Government of British Columbia for a further advance of \$250,000, to be charged against the debt of that Province under the provisions of the statute 37 Vic., chap. 17.

The Minister observes that the Government of British Columbia were in no way warranted in incurring expenditure or entering into any contracts whatever without the express consent of the Governor in Council.

That it is immaterial for what purposes the said \$250,000 are required.

That under existing circumstances the engagements contracted by the Government of the Dominion render it inexpedient to comply at present with the request of the Government of British Columbia, more especially as the Council have already authorized an advance of a large sum, to wit, \$129,000, to British Columbia.

The Committee concur in the report of the Minister of Finance, and submit the same for Your Excellency's approval.

Certified.

W. A. HIMSWORTH, *Clerk Privy Council.*

*The Lieutenant-Governor to the Honorable the Secretary of State for Canada.*

GOVERNMENT HOUSE, 15th October, 1875.

SIR,—I have the honor to enclose herewith a Minute of my Executive Council, requesting me to telegraph to the Government of Canada in relation to an advance to this Government of a sum of \$150,000, together with a transcript of the telegram, which I have accordingly this day addressed to you.

I have, &c.,

JOSEPH W. TRUTCH.

*Copy of a Report of a Committee of the Honorable the Executive Council, approved by His Excellency the Lieutenant-Governor on the 14th day of October, 1875.*

On a memorandum, dated 14th October, 1875, from the Hon. the Minister of Finance and Agriculture, reporting that it is necessary, in consequence of the refusal of the Dominion Government to make advances for the purpose of meeting the cost of the construction of public works already contracted for by authority of the Legislature, to obtain a sum of \$150,000 without delay, and that it is desirable in the first place to inform the Dominion Government of the high rate of interest now current in this Province.

The Minister of Finance and Agriculture therefore recommends that a telegram be sent to the Secretary of State of the Dominion, couched in the following terms:—

The Committee advise that the recommendation be approved, and should this report be approved, request Your Excellency to send through the proper channel the annexed telegram to the Dominion Government.

Certified.

W. J. ARMSTRONG, Clerk Executive Council.

TELEGRAM—*The Lieutenant-Governor to the Honorable the Secretary of State:*

VICTORIA, 14th October, 1875.

My Ministers request me to ask whether Dominion Government will advance \$150,000 to pay for local improvements in this Province, with permission to repay on 1st July next. Provincial Government require that sum to meet liabilities incurred under sanction of Legislature, and must pay excessive rate of interest if money borrowed here. Please answer soon as possible.

I have, &c.,

JOSEPH W. TRUTCH.

TELEGRAM—*The Under Secretary of State to the Lieutenant-Governor.*

OTTAWA, 18th October, 1875.

An advance of one hundred and fifty thousand dollars (\$150,000) granted to Government of British Columbia on account of subsidy, subject to the usual conditions. An official letter will be sent.

EDOUARD J. LANGEVIN.

TELEGRAM—*The Honorable A. Mackenzie to the Lieutenant-Governor.*

OTTAWA, 18th October, 1875.

In reply to your telegram of fifteenth, you may inform your Council that the Dominion Government will advance one hundred and fifty thousand dollars on account of subsidy. Directions were given on sixteenth.

A. MACKENZIE.

TELEGRAM—*The Provincial Secretary to the Honorable A. Mackenzie.*

VICTORIA, 20th October, 1875.

Your telegram received. Government thank you for your prompt attention.

JOHN ASH.

*The Under Secretary of State to the Lieutenant-Governor.*

OTTAWA, 18th October, 1875,

(Received 5th of November.)

SIR,—Adverting to my telegram of this date, I have the honor to transmit to you a credit cheque, payable to the Treasurer of the Province of British Columbia, in order, for the sum of \$150,000.



A copy of the Order in Council authorizing the payment of the above sum will be transmitted to you in the course of a few days.

I have, &c.,

E. J. LANGEVIN.

*The Lieutenant-Governor to the Honorable the Secretary of State for Canada.*

GOVERNMENT HOUSE, 5th November, 1875.

SIR,—I have the honor to state that I have this day received your despatch of the 18th ult., and the cheque therewith transmitted, for the sum of \$150 000, payable to the Treasurer of British Columbia, and that I have handed the said cheque to the Treasurer of the Province, and have communicated the substance of your despatch to my Ministers.

I have, &c.,

JOSEPH W. TRUTCH.

*The Honorable the Under Secretary of State to the Lieutenant-Governor.*

OTTAWA, 9th November, 1875.

SIR,—With reference to my letter of the 18th ultimo and its enclosure, I have the honor to transmit to you, for the information of your Government, a copy of an Order of His Excellency the Administrator of the Government in Council, authorizing an advance of \$150,000 to the Government of British Columbia (on account of subsidy), as requested by them, subject to the usual conditions.

I have, &c.,

EDOUARD J. LANGEVIN.

*COPY of a Report of a Committee of the Honorable the Privy Council, approved by His Excellency the Administrator of the Government in Council on the 18th October, 1875.*

On the recommendation of the Hon. Mr. Mackenzie, acting in the absence of the Hon. the Minister of Finance, the Committee advise that a sum of one hundred and fifty thousand dollars be advanced to the Government of British Columbia (on account of Subsidy), as requested by them, subject to the usual conditions.

Certified.

W. A. HIMSWORTH, Clerk Privy Council.

*The Lieutenant-Governor to the Honorable the Secretary of State for Canada.*

GOVERNMENT HOUSE, 29th November, 1875.

SIR,—I have the honor to state that I have duly received and laid before my Executive Council your despatch of the 10th inst., and the copy therewith transmitted of an Order of His Excellency the Administrator of the Government in Council, authorizing an advance of \$150,000 to the Government of this Province.

I have, &c.,

JOSEPH W. TRUTCH.

*The Lieutenant-Governor to the Honorable the Secretary of State for Canada.*

GOVERNMENT HOUSE, 29th October, 1875.

SIR,—Adverting to my despatch to you, No. 58, of the 15th inst., enclosing a Minute of my Executive Council, together with a transcript of a telegram of same date, which, upon the advice of my Ministers, expressed in that Minute, I addressed to you, requesting an advance of \$150,000, from the Government of Canada to this Province, and to their telegraphic message in reply, which I received on the 18th inst., and with further reference to previous correspondence on the subject of advances by the Government of Canada to British Columbia, under the statute of Canada, 37 Vic., chap. 17, I have the honor to enclose herewith, at the request of my Ministers, for the consideration of His Excellency the Governor General, a Minute of my Executive Council, reviewing the negotiations which have taken place between

the Government of Canada and that of British Columbia on this question, and setting forth the views of this Government upon the existing position thereof. I have also to state, as advised by my Ministers in the enclosed Minute, that this Government will repay, on the 1st July next, if required, the \$150,000 advanced to the Province by the Dominion on the 18th inst., but request that the application made to the Dominion Government in April last for an advance of \$250,000 be reconsidered, so that the above named sum of \$150,000 may be treated as an instalment of the said sum of \$250,000 so applied for in April last, and that a further advance of the remaining \$100,000 be now made, and that the conditions under which applications should be made for further advances to this Province for ensuing years may be communicated to this Government. Should the request of this Government for a further immediate advance of \$100,000 be granted by the Government of Canada, it would be very convenient if His Excellency's decision should be communicated by telegraph.

I have, &c.,

JOSEPH W. TRUTCH.

*Copy of a Report of a Committee of the Honorable the Executive Council, approved by His Excellency the Lieutenant-Governor on the 28th October, 1875.*

The Committee of Council have had under review the negotiations between the Governments of the Province and of the Dominion, which led to the passing of cap. 7 of the statutes of Canada, 37 Victoria, the correspondence on the subject of advances to be made to the Province under authority of the statute, and the various matters consequent thereto.

The Committee observe that the Government of the Dominion was informed by despatch, No. 79, from the Lieutenant-Governor, dated 22nd September, 1873, and by letter dated 25th October, 1873, from the Hon. A. DeCosmos to the Secretary of State for Canada, that it was the intention of the Government of British Columbia to commence, as soon as the necessary financial arrangements could be made, various public works, calculated materially to advance the settlement of the Province, and involving an expenditure, extending over two or three years, of over a million of dollars. That subsequently an Order in Council of the Dominion Government was passed, giving authority to advance to the Government of British Columbia, for local improvements, such sums as might, from time to time, be applied for, to be charged against the debt of the Province, to the extent of the amount by which that debt fell short of the debt allowed. That the Hon. A. Mackenzie engaged to submit a measure to Parliament to carry the proposal into effect, and that the promise was fulfilled by the passage of the statute already cited, which came into effect in the month of May, 1874.

The Government of British Columbia did not apply for advances under the statute until after the Session of 1875; nevertheless, the sum of \$189,150 was expended in local improvements during the year 1874, the cost of which was defrayed by a temporary loan, to be discharged either from a loan secured on the consolidated revenue of the Province, or from advances to be obtained from Canada, under the statute, as events might render most expedient.

The passage of an Act enabling the Government of British Columbia to receive advances from Canada formed part of the legislation of 1875, and immediately afterwards this Government requested the Government of the Dominion to advance \$189,150 to defray the cost of local improvements, which had been effected in 1874, and a further sum of \$250,000, to be expended under authority of the Legislature, on local improvements, in various parts of the Province, during the current year.

The reply of the Dominion Government, dated 25th May, and received on the 14th June last, informed the Government that the sum of \$189,150 would be advanced; but with regard to the sum of \$250,000 asked on account of the graving dock, that certificates of progress of works were required by the terms of the Act, and that such certificates had not been furnished, and that the consent of the Government of Canada must be expressly obtained before any advance on account of local improvements could be authorized.



On the 22nd June a Minute of Council, in reply, was forwarded to the Hon. the Secretary of State, pointing out that no application had been made on account of the Esquimalt graving dock, but that the sum of \$250,000 asked for was to cover and meet expenditure on public buildings, roads, bridges and surveys throughout the Province; that the contracts therefor had been, with few exceptions, already awarded, and that great inconvenience would result to the Province if the advance asked for should not be granted; that no intimation other than that conveyed in the Minute just received had been given that the consent of the Government of Canada must be expressly obtained before any advance on account of local improvements could be authorized, and the assurance to the Dominion Government was given that for the future their express consent would be sought to draw upon them for moneys intended to be expended, under the terms of the 37 Vic., chap. 17, and the Dominion Government was requested, under the circumstances, to advance the sum of \$250,000 already applied for.

On the 11th August (up to which time no answer to this application had been received) a telegram was sent to the Hon. the Secretary of State, asking if the Dominion Government were disposed to make the advance.

On the 30th August a copy of the Minute of Council on the application was received, stating that the Government of British Columbia were in no way warranted in incurring expenditure or entering into any contract whatever without the express consent of the Governor in Council; that it was immaterial for what purpose the \$250,000 were required; and that it was not expedient to comply, at present, with the request of the Government of British Columbia.

On meeting with this unexpected refusal the Government proceeded to take steps to maintain the public credit. The season of the year for the settlement of the accounts of contractors for work done in all parts of the Province was approaching. Every mail brought in certificates of the completion of local improvements, with the corresponding claims, and a large sum of money was required for their liquidation.

On application at the local banks it was found that those institutions were not in a position to supply the necessary funds at a reasonable rate of interest, and the Government paid 8 per cent. interest upon an over draft of \$80,000.

Under these circumstances, the Government determined to make a further application on the subject to the Government of the Dominion. A telegram was accordingly sent, asking for an advance of \$150,000, to be repaid, if required, on 1st July next, and stating that an excessive rate of interest must be paid if the money were borrowed here.

The Hon. Mr. Mackenzie promptly replied, to the effect that a credit in favor of the Provincial Government was established for the sum asked.

On these premises the Committee remark that the terms of the Order of the Governor General in Council, of November, 1873, and the statute of 1874, warranted their belief that the Dominion Government had conceded that the excess of the debt allowed over that outstanding at the date of Union was, in fact, a debt of the Dominion, and that advances would be made to the Province on befitting applications. They are, however, fully aware that the terms of the statute are not obligatory, but permissive, and that considerations of policy of finance may influence Canada to grant or withhold supplies.

But the Committee must demur to the statements made by the Dominion Government, that the Government of British Columbia had no right to enter into any contracts whatever without the express consent of the Governor General.

Without reference to the exclusive powers of the respective Governments, it is sufficient to point out that the Government of the Dominion is not in possession of the data on which to determine what public works may best be constructed in any given year. The expenditure of the current season on school houses, on a lunatic asylum, on roads, wharves, bridges, surveys and explorations, in a country of immense extent, like British Columbia, could not, under existing forms, have been intelligently considered at Ottawa.

It cannot be questioned that British Columbia is a country which is in special need of local improvements. If the Dominion Government will not make advances

under the statute, the necessary means can be obtained from a loan secured on the consolidated revenue of the Province, even should it be necessary to pay a higher rate of interest than the rate allowed by the Dominion on its debt to the Province.

The Committee, however, cannot doubt that the Dominion Government, upon its representation of facts, will fully assist the Province in any judicious efforts to promote the common prosperity.

It may be fairly said that the large expenditure of the Government throughout the Province has done much to allay the discontent which, unfortunately, exists on account of the non-commencement of railroad construction, and has also tended to increase the Customs and Excise revenue derived by the Dominion from the Province.

The Committee therefore advise that the Dominion Government be informed that the Government of the Province will repay the sum of \$150,000 on the 1st of July next, if required, out of a loan to be contracted upon the security of the consolidated revenue of the Province as originally contemplated, but that they be at the same time requested to reconsider their reply to the application made in April last for an advance to the Province of \$250,000, expended during the current year for local improvements, that the Government of the Dominion will consider the sum of \$150,000 placed to the credit of the Province on the 18th October, 1875, as an instalment of the said sum of \$250,000, and that the balance, viz., \$100,000, be further advanced in completion of the required amount, and that the Government of the Dominion be requested to state the conditions under which applications for future advances for ensuing years should be made.

The Committee further advise, should this report be approved, that Your Excellency will be pleased to cause a copy to be forwarded to the Dominion Government, through the usual channel, with the request that should the application for the advance of \$100,000 be granted, Your Excellency may be informed thereof by telegraph.

Certified.

W. J. ARMSTRONG, *Clerk Executive Council.*

TELEGRAM—*The Secretary of State to the Lieutenant-Governor.*

OTTAWA, 14th December, 1875.

(Received, 15th December.)

Communication sent 9th December, advising that Dominion will deduct bulk of advances from July and following January subsidy.

R. W. SCOTT.

*The Secretary of State to the Lieutenant-Governor.*

OTTAWA, 9th December, 1875.

(Received, 28th December.)

SIR,—Referring to the several papers having reference to the application of the Government of British Columbia for a further advance of money on account of the balance of debt, I am directed to transmit to you herein a copy of an Order of His Excellency the Governor General in Council, on the subject, dated 8th December, inst.

I have, &c.,

R. W. SCOTT.

COPY of a Report of a Committee of the Honorable the Privy Council, approved by His Excellency the Governor General in Council on the 8th December, 1875.

The Committee of Council have had under consideration a report from the Hon. the Minister of Finance, to whom were referred the several papers having reference to the application of the Government of British Columbia for a further advance of money on account of the balance of debt.



The Minister states that with regard to the Order in Council of the 3rd November, 1873, it would appear that the said order was deemed to be invalid and in excess of the power of the Government of Canada, and that no action was taken thereon on that account.

That the 2nd section of chapter 17 of the statutes of 1874, authorizing the Governor in Council, in his discretion, to make advances to the several Provinces, was drawn in its present form for the express purpose of guarding against the inconveniences which might otherwise arise if the several Provinces were to consider themselves at liberty to draw for the balance of their debt, without previous communication with the Dominion Government.

That it was never contemplated that any Province would enter into any contracts, or make any engagements whatever, involving the use of this fund, without having first applied for and obtained the consent of the Dominion Government to advance the money required under the said Act.

That a considerable sum, amounting to \$189,000, has been already advanced under the said Act, for the purpose of relieving the Government of British Columbia from their embarrassments, at which time they were advised that no further advance could conveniently be made.

The Minister therefore states that, in view of all the circumstances, he is unable to recommend a departure from the decision previously arrived at.

The Committee concur in the report of the Minister of Finance, and submit the same for Your Excellency's approval.

With respect, however, to the advance of \$150,000 made as against subsidy by the Order in Council of 18th October, 1875, the Committee advise that the amount be retained out of subsidy on and after the 1st July next,

Certified.

W. A. HIMSWORTH, *Clerk Privy Council.*

*The Lieutenant-Governor to the Honorable the Secretary of State for Canada.*

GOVERNMENT HOUSE, 28th December, 1875.

SIR,—I have the honor to state that I have this day received and laid before my Executive Council your despatch of the 9th inst., and the copy therewith transmitted, of an Order of His Excellency the Governor General in Council, in reference to the application of this Government to the Government of Canada on account of the balance of debt allowable to this Province.

I have, &c.,

JOSEPH W. TRUTCH.

*The Lieutenant-Governor to the Honorable the Secretary of State for Canada.*

GOVERNMENT HOUSE, 17th January, 1876.

SIR,—I have the honor to enclose herewith, for the consideration of His Excellency the Governor General, a further Minute of my Executive Council in relation to the applications which have been made by this Government to that of the Dominion, for advances of money to meet expenditures upon provincial public works, and particularly in reply to the Order of His Excellency the Governor General in Council, transmitted in your despatch to me of the 9th ultimo, the receipt of which was acknowledged by my despatch, No. 75, of the 28th ultimo.

I have, &c.,

JOSEPH W. TRUTCH.

*COPY of a Report of a Committee of the Honorable the Executive Council, approved by His Excellency the Lieutenant-Governor on the 15th January, 1876.*

The Committee of Council have had under consideration a memorandum, dated the 6th of January, 1876, from the Hon. the Minister of Finance and Agriculture, reporting on a Minute of the Privy Council, received from the Dominion Govern-

ment on the 28th of December, 1875, in reply to Your Excellency's telegraphic message of the 14th October last, which telegram was worded as follows:—

“VICTORIA, 14th October, 1875.

“My Ministers request me to ask whether Dominion Government will advance \$150,000 to pay for local improvements in the Province, with permission to repay on 1st of July next. Provincial Government require that sum to meet liabilities incurred under sanction of Legislature, and must pay excessive rate of interest if money were borrowed here. Please answer as soon as possible.”

The Under Secretary of State's telegraphic reply was:—“An advance of one hundred and fifty thousand dollars granted to Government of British Columbia on account of subsidy, subject to the usual conditions: An official letter will be sent.”

On the 5th November following, a cheque for \$150,000, and a few days afterwards, a copy of the Order of the Privy Council authorizing the advance, were received by Your Excellency.

The Order in Council states: “That a sum of \$150,000 be advanced to the Government of British Columbia (on account of subsidy), as requested by them, subject to the usual conditions.”

In the late Minute of the Privy Council (now under consideration) the following passage occurs: “With respect, however, to the advance of \$150,000, made as against subsidy, by the Order in Council of the 18th October, 1875, the Committee advise that the amount be retained out of subsidy on and after 1st July next.”

The Committee of Council remark that the Dominion Government cannot retain the subsidy, as proposed, without violating the terms of Union. Under section 2, chap. 17, of their statute, 37 Vic., they have authority to make advances of money to the Province for local improvements. These advances may be repaid by the Province, but until such repayment is made interest at 5 per cent. thereon is chargeable to “account of subsidy,” and deducted therefrom as in former cases. The Provincial Government could not but understand from the Order of the Privy Council, of November last, that the advance of \$150,000 was made so far “on account of subsidy,” and they so accepted it. The Order, in fact, states that the advance was made “as requested by the Provincial Government, subject to the usual conditions.” The telegraphic request of the Provincial Government was in accordance with previous correspondence for an advance of \$250,000, except that it only asked for \$150,000, “with permission to repay,” the request being made under the provisions of section 2, chap. 17, 37 Vic., of the Dominion statutes, and of the local statute “respecting the construction of \* \* \* provincial public works.” (Act No. 4, 1875.)

The “usual conditions” upon which the Dominion Government state they advanced the \$150,000 can only refer to the conditions contained in these statutes, that is, that the amount advanced for the time being should be charged against and in reduction of the debt due by the Dominion to the Province, and that the interest at 5 per cent. thereon should be charged “on account of,” and be deducted from subsidy. Upon these “usual conditions” the Dominion Government on a former occasion advanced \$189,000 to the Province. The Dominion Government have only power to charge the principal (\$150,000) to the debt due to the Province, and to debit the interest to the subsidy agreed to be paid to the Province. They cannot retain the principal from the subsidy payable under the terms of Union; neither have they, on the one hand, power to lend, nor have the Provincial Government, on the other, authority to borrow upon the subsidy as a security for repayment of any advances.

Such advances could only have been made and could only have been accepted under the statutes mentioned.

The Committee of Council feel assured that when this matter is placed in its true light the unconstitutional character of the course suggested by the Dominion Government will be seen, and lead to a reconsideration of the matter, and that they



will not illegally withhold or interfere with the subsidies of the Province, which course, if adhered to, the Committee respectfully intimate, will be strongly resisted.

It may be added that it is the duty as well as the intention of the Provincial Government to fulfil its obligations, and therefore to repay the sum of \$150,000, according to the conditions under which it was accepted.

The Committee of Council advise that if this Minute be approved by Your Excellency a copy thereof be forwarded to the Dominion Government.

Certified,

W. J. ARMSTRONG, *Clerk Executive Council.*

### FURTHER PAPERS

Relating to applications to the Dominion Government for advances under Act No. 4, of the Statutes of 1875.

By Command,

A. C. ELLIOTT, *Provincial Secretary.*

Provincial Secretary's Office, 13th April, 1876.

*The Lieutenant-Governor to the Secretary of State for Canada.*

BRITISH COLUMBIA, GOVERNMENT HOUSE, 3rd March, 1876.

SIR,—I have the honor to enclose herewith, at the request of my Ministers, for the consideration of His Excellency the Governor-General, a copy of a Minute of my Executive Council, and of the statements and returns therein referred to, setting forth the financial position of this Province, and recommending that application be made to the Government of Canada for an advance of \$500,000, under the provisions of the statute of Canada, 37 Vic., chap. 17, to meet liabilities due or coming due on account of past expenditures in public works.

In accordance with this advice I beg, therefore, to make application for such advance of \$500,000, for the purposes and on the conditions specified in this Minute, and further, to request that as early an answer as possible may be returned to the application, and if practicable by telegraph, so as to reach this Government before the 6th April, to which day the House of Assembly stands adjourned.

I have, &c.,

JOSEPH W. TRUTCH.

*COPY of a Report of a Committee of the Honorable the Executive Council, approved by His Excellency the Lieutenant-Governor on the 3rd day of March, 1876.*

Upon a memorandum of the Hon. the Minister of Finance, calling attention to the financial condition of the Province, as set forth in the statements from his Department of "assets and liabilities, 31st December, 1875," and of the "financial position, 1st January, 1876," the latter based in part on the return made by the Chief Commissioner of Lands and Works of expenditures by that Department in 1875, "including amounts payable in 1876 on unfinished contracts," which statements and return were published by Your Excellency's command in the *British Columbia Gazette* of the 5th February ultimo. The Minister of Finance remarks that of the liabilities of the Province, 31st December last, the sum of \$150,000 will be due and payable on the 1st July next to the Dominion, under engagements to that effect entered into by Your Excellency, as expressed in your despatch of 29th October last to the Hon. the Secretary of State for Canada, and its enclosures, and in other documents; the sum of \$30,000 will be due and payable to Sir James Douglas on the 18th October next, with interest from the 18th October last at 8 per centum per annum, for the like amount of money lent by him to the Government of British Columbia, as security for which loan debentures issued under the "British Columbia Loan Act, 1874," to the amount of \$33,750 are held by Sir James Douglas, on condition that if the \$30,000 lent by him be not repaid with interest, on the 18th October next, as before stated, these debentures for \$33,750

shall be retained by him; the sum of \$52,850, with interest from 21st October last at the rate of 8 per centum per annum, will be due and payable to the Bank of British Columbia on the 1st May next, on account of advances made by that bank to the Government of British Columbia to the amount of \$52,850, as security for which the bank holds debentures, issued under the "British Columbia Loan Act, 1874," to the amount of \$52,850, which debentures the bank is authorized to sell and realize, at whatever rates they may obtain, on the 1st May next, provided the \$52,850 advanced by them to this Government be not repaid with interest on that day. The next two items of these liabilities, viz.: \$31,070 and \$46,360, were due on the 31st December last to the Bank of British Columbia, on overdrawn current account, payable on demand; and of these the first item, on graving dock account, still remains due, with interest at the rate of 8 per cent. per annum, whilst the latter, on general account, has been paid off since the beginning of this year. The last item of these liabilities, viz.: \$18,800, is due on account of intestate estates deposit accounts, the whole of which is payable on demand.

It is clear, therefore, that all these liabilities set forth in this statement were either actually due on the 31st December last, or are such as must unavoidably be met and satisfied in 1876; and as the available assets are shown to amount to only \$18,886, there remained a balance of \$310,194 of liabilities over assets at the commencement of this year, to meet which the only means in hand were the British Columbia debentures already mentioned, which are held as security by two creditors, and which are realizable in the one case at 87½ cents, and in the other at whatever rates may be obtained on sale. For it is to be observed that the whole of the \$300,000 of debentures authorized by the "British Columbia Loan Act, 1874," have been issued at various times as security for temporary advances to the Government, and have, with the exception of the debentures above mentioned, amounting, in the aggregate, to \$86,600, been received back into the treasury—the advances for the security of which they were pledged having been repaid—and having been duly cancelled, cannot be re-issued, so that the "Loan Act of 1874" is no further available beyond the amount of the debentures for \$86,600, now held by creditors of the Government, and only on the conditions under which they are so held.

As to the statement of the financial position on 1st January last, the Minister of Finance remarks that credit is taken therein for the sum of \$210,000, as receivable from the Dominion on account of subsidy, that being about the estimated amount payable by the Dominion in 1876, allowing for the reduction from the payment on this account last year by the interest at 5 per cent. per annum on the advance of \$189,150 to this Government by the Dominion in May last. Credit is also taken for \$120,000 of local revenue, being the same amount as was received from this source last year.

On the other hand, the first item shown as necessary to be provided for is the balance of liabilities above specified, viz.: \$310,194. The next item is the aggregate amount, viz.: \$163,476.36, coming due and payable in 1876 at various dates, on general public works now actually under construction, as to which it appears from the Chief Commissioner of Lands and Works' return that these various works were all under contract on the 1st January, 1876; and the Minister of Finance has ascertained further, that at this present date some of these works are actually completed, many of them closely approaching completion, and the rest so far advanced under construction that they could not be stopped now and the contractors legally satisfied without imposing greater burdens on the finances than will be occasioned by these works being carried out to completion. Details of the actual position of these various contracts are shown in the statement of the Lands and Works Department, appended to the Minister of Finance's memorandum. The remaining item on the debtor side of his statement of the financial position on 1st January last is the sum of \$99,558 on account of contracts to be completed this year on graving dock account, as to which it may be observed that as one of the contracts included in this sum, viz.: that amounting to \$59,479, for the construction of a cofferdam, has not been commenced, it is perhaps competent for the Government to hold this contract in abeyance, if such



a course were desirable; but in view of the fact that although in this exhibit of the position of the finances of the Province provision must be made for the payment, in the first instance at all events, of the amounts of these contracts on graving dock account from general revenue, such payments are to be recouped from other special sources, to which more particular allusion will be presently made, and that it therefore does not seem advisable to interfere with the progress of this very important work.

A review of this comparison of estimated revenue for 1876 with the actual engagements entered into by the Government of British Columbia last year which must be met in the current year, shows a balance of \$243,228.36 to be provided for payments then due or coming due in 1876, on account of expenditures actually disbursed before the 1st January last, or which were contracted before that date to be paid within the year 1876. If to this balance be added the cost of carrying on the government of the country at the same rate as last year, viz.: \$259,000, exclusive of lands and works expenditure and an estimated minimum sum of \$100,000 for the necessary repairs and maintenance of the public buildings and roads throughout the Province, it will be found that without contemplating the construction of a single new work a sum of \$602,228.36 must be provided for the service of 1876, from sources other than ordinary revenue.

It has been shown that debentures under the British Columbia Loan Act, 1874, to the amount of \$86,600 and no more, are still extant; but these debentures are so placed that it will be evidently most advisable to redeem and cancel them, and the amount of these extant debentures is therefore, with this view, properly included in the deficit to be made up in the present year.

But as, under existing arrangements, between the Imperial and Provincial Governments, as also between the Dominion and Provincial Governments and the special legislation on this subject by Canada and British Columbia, it may be relied upon that the largest portion, if not the whole of the amount, viz.: \$129,777.86, already expended or coming due this year on account of the graving dock at Esquimalt will be reimbursed to the Province, it is proper that the estimate of the sum required to be provided to meet the liabilities and necessary expenses of the Province for the year 1876 should be reduced proportionably, and this required sum may therefore be taken at about \$500,000, but certainly at no less an amount.

The Minister of Finance observes that this sum, therefore, must be provided either by means of a loan authorized by the Legislature in the coming Session, or by obtaining advances from the Government of Canada under the provisions of sec. 2, Chap. 17, 37th Vic., of the statutes of Canada, and of sec. 2 of Act No. 4, 1875, of the statutes of British Columbia; and as it would be clearly most convenient and advantageous to the interest of the Province that the required funds should be obtained from the latter source, he recommends that application be at once made to the Dominion Government for advances to the aggregate amount of \$500,000, to be paid to the order of this Government, in such sums and at such times as are requisite to meet the several liabilities above stated, as they become due and payable.

The Committee of Council concur in the recommendation of the Minister of Finance. They fully expect indeed to take occasion, after more mature investigation of the past expenditure in the administration of the affairs of the Province than they have yet had opportunity of making, to submit for Your Excellency's consideration certain economies by which the cost of the public service may be reduced, without impairing its efficiency, yet they cannot hope that such reduction can be so considerable in amount as to materially affect the actual deficit for the current year, nor do they consider that it would be desirable, in the present condition of the Province, to increase the aggregate amount of local taxation to such an extent as would produce such a result. Their aim, however, will be to offer such advice as may secure that the current expenses of the Province shall not exceed the ordinary revenue.

They would not suggest to Your Excellency to ask from the Dominion advances under the Statute of Canada above referred to by the Minister of Finance for prospective expenditure upon public works, unless such works were either absolutely

necessary or of a character giving full assurance of speedy and amply profitable return; yet they cannot hesitate to advise that the sum shown by the Minister of Finance to be absolutely requisite to relieve the Province of the liabilities and embarrassments resulting from expenditures on public works already incurred or now accruing, should be at once applied for from Canada; for it is evident that this sum may be obtained more advantageously to this Province from that source than by borrowing money under authority of an Act of the Legislature, which is the only alternative recourse. Nor can the Committee doubt that the Government of Canada will readily grant such application, as by its so doing this Province can be provided with the means of discharging its liabilities without any inconvenience, a burden as it seems to the Committee, being imposed on the Canadian exchequer, and on terms materially more advantageous to the financial interests of British Columbia than she can expect to obtain under a Loan Act.

The Committee therefore advise Your Excellency to apply to the Government of Canada for an advance of \$500,000 for the purposes and on the conditions before specified by the Minister of Finance, and, should this report be approved, they respectfully request that you will be pleased to transmit to the Secretary of State a copy thereof, and of the several statements of accounts therein referred to, exhibiting as they do, fully and without any reservation, as far as the Committee are aware, the actual financial position of the Province, and to earnestly solicit that a reply to such application may be returned as soon as possible, and, if practicable, by telegraph, so that this Government may be made aware of the conclusions of the Government of Canada on this matter before the meeting of the Legislature of the Province, on the 6th April next.

Certified.

T. BASIL HUMPHREYS, *Clerk Executive Council.*

*The Lieutenant-Governor to the Secretary of State for Canada.*

BRITISH COLUMBIA, GOVERNMENT HOUSE, 27th March, 1876.

SIR,—I have the honor to enclose herewith a copy of a Minute of my Executive Council, requesting me to telegraph to the Government of the Dominion the desire of this Government to be apprised by telegraph, as soon as possible, whether the application for an advance of \$500,000 to British Columbia, which was conveyed in my despatch to you on the 3rd instant, will be granted.

I also enclose a transcript of the telegram which I have this day despatched to you, in accordance with the request of my Ministers, expressed in this Minute.

I have, &c.,

JOSEPH W. TRUTCH.

*COPY of a Report of a Committee of the Honorable the Executive Council, approved by His Excellency the Lieutenant-Governor on the 27th day of March, 1876.*

On a memorandum from the Hon. the Provincial Secretary, dated 27th March, 1876, reporting that no answer had as yet been received to Your Excellency's despatch to the Dominion Government of the 3rd March instant, embodying a request from the Provincial Government for an advance of \$500,000, and recommending that Your Excellency will be pleased to telegraph to the said Government, enquiring if the despatch in question has been received, and if the advance asked for will be made.

The Committee advise that the recommendation be approved.

Certified.

T. BASIL HUMPHREYS, *Clerk Executive Council.*

*TELEGRAM.—The Lieutenant-Governor to the Secretary of State for Canada.*

VICTORIA, B. C., 27th March, 1876.

Hon. R. W. SCOTT, Secretary of State, Ottawa.

My Ministers request me to express urgent desire for telegraphic reply to application in my despatch 3rd instant. Very important for this Government to ascertain, before House meets on 6th April, whether that application will be granted.

J. W. TRUTCH.



TELEGRAM.—*The Secretary of State to the Lieutenant-Governor.*

OTTAWA, Ont., 11th April, 1876.

Lieutenant-Governor TRUTCH:

The Dominion Government have decided that the one hundred and fifty thousand dollars, previously charged against subsidy, will be advanced on debt account.

R. W. SCOTT, *Secretary of State.*

#### A FURTHER PAPER

RELATING to Applications to the Dominion Government for advances, under Act No. 4, of the Statutes of 1875 (accidentally omitted from the Papers dated 13th April, and presented to the House on the 15th April, 1876).

By Command,

A. C. ELLIOTT, *Provincial Secretary.*

Provincial Secretary's Office, 26th April, 1876.

TELEGRAM.—*The Secretary of State for Canada to the Lieutenant-Governor.*

OTTAWA, ONT., 30th March, 1876.

Lieutenant-Governor TRUTCH.

Telegram received. The subject is under the consideration of the Government.

R. W. SCOTT, *Secretary of State.*

#### RETURN

(46)

To an Address of the House of Commons, dated 24th February, 1879;—For a copy of all correspondence in possession of the Government respecting the offer of the Government of British Columbia, in 1878, "to grant to the Admiralty the site, plant and material on hand, and work already done, of the proposed Esquimalt Graving Dock," subject to the condition that merchant vessels shall be permitted to be docked, on payment of expenses, whenever the ships of Her Majesty's navy do not require its use.

By Command,

J. C. AIKINS, *Secretary of State.*

Department of the Secretary of State,  
Ottawa, 11th March, 1879.

OTTAWA, 8th March, 1879.

SIR,—In compliance with your order of reference on an Address from the House of Commons, dated the 24th ultimo, I have the honor to transmit herewith copies of a correspondence which has passed between His Excellency the Governor General and the Secretary of State for the Colonies, respecting the offer of the Government of British Columbia, in 1878, to grant to the Admiralty the site, plant and material on hand, and the work already done, of the proposed graving dock at Esquimalt, B.C.

I have the honor to be, Sir, your most obedient servant,

F. DEWINTON, Major R.A., *Governor General's Secretary.*

Hon. the Secretary of State for Canada.

*The Earl of Dufferin to Sir M. E. Hicks-Beach.*

OTTAWA, 1st March, 1878.

SIR,—I had the honor to send to you to-day a telegraphic message in the following words: 1st March. Referring to my despatch No. 221, of 7th November, 1877, British Columbia Government, with unanimous sanction of their Legislature, offers

Imperial Government Esquimalt dock, site, plant, material and work done, on terms of alternative proposition in Minute of 21st July last, covered by above-mentioned despatch.

I have, &c.,

DUFFERIN.

Right Hon. Sir M. E. HICKS-BEACH, Bart., &c., &c., &c.

*Sir M. E. Hicks-Beach to the Earl of Dufferin.*

DOWNING STREET, 21st March, 1878.

MY LORD,—I have the honor to acknowledge the receipt of Your Lordship's telegram, noted in the margin, relating to the Esquimalt graving dock, and I have to inform you that I am in communication with the Lords Commissioners of the Admiralty on the matter to which it relates.

I have, &c.,

M. E. HICKS-BEACH.

Governor General the Right Hon.

The Earl of Dufferin, K.P., G.C.M.G., K.C.B.

*The Earl of Dufferin to Sir M. E. Hicks-Beach.*

OTTAWA, 26th March, 1878.

SIR,—With reference to previous correspondence respecting the construction of the graving dock at Esquimalt, B.C., I have the honor to transmit herewith a copy of a letter from the Department of the Secretary of State for Canada, covering a communication from the Lieutenant-Governor of the Province.

I have, &c.,

DUFFERIN.

Right Hon. Sir M. E. HICKS-BEACH, Bart., &c., &c., &c.

*The Earl of Dufferin to Sir M. E. Hicks-Beach.*

OTTAWA, 7th May, 1878.

SIR,—In continuation of the correspondence which has passed, relating to the graving dock at Esquimalt, British Columbia, I have the honor of communicating to you a copy of a letter from the Department of the Secretary of State for Canada, submitting, at the request of the local authorities of that Province, for the consideration of Her Majesty's Government, copies of further papers on this subject.

I have, &c.,

DUFFERIN.

Right Hon. Sir M. E. HICKS-BEACH, Bart., &c., &c., &c.

DEPARTMENT SECRETARY OF STATE, OTTAWA, 2nd May, 1878.

SIR,—I am directed to transmit to you herewith, for the information of His Excellency the Governor-General, a copy of a despatch from His Honor the Lieutenant-Governor of British Columbia, and of the Address of the Legislative Assembly and Minute of Council therein referred to, respecting the grant by the Government of that Province of the Esquimalt dock; which documents His Honor requests may be transmitted to the Right Hon. the Secretary of State for the Colonies, for the consideration of Her Majesty's Government.

I have, &c.,

EDOUARD J. LANGEVIN, *Under Secretary of State.*

Governor General's Secretary.

EXTRACT from Despatch from the Secretary of State for the Colonies to the Governor General of Canada, dated 20th June, 1878.

*In re* graving dock, B.C., "I have to inform you that the proposals made by the Provincial authorities of British Columbia upon this matter are receiving the careful consideration of Her Majesty's Government."



*Telegram from Victoria, B.C., 25th Jan., 1878, Ottawa, 26th Jan., 1878.*

To Hon. R. W. Scott :

Telegraph Secretary of State for Colonies, as coming from this Government, Legislature meets 7th February; anxiously awaiting reply to Minute of Council respecting dry dock, Esquimalt. Telegraph answer.

A. N. RICHARDS.

DEPARTMENT SECRETARY OF STATE, OTTAWA, 31st January, 1878.

SIR,—I am directed to acquaint you, for the information of His Excellency the Governor General, that a telegram has been received at this Department from His Honor the Lieutenant-Governor of British Columbia in the following words:—

"Telegraph Secretary of State for Colonies, as coming from this Government, Legislature meets 7th February; Government anxiously awaiting reply to Minute of Council respecting dry dock, Esquimalt. Telegraph answer."

The Secretary of State would be glad if the request contained in the above telegram were complied with.

I have, &c.,

EDOUARD J. LANGEVIN, *Under Secretary of State.*  
Governor General's Secretary.

GOVERNMENT HOUSE, VICTORIA, B.C., 10th January, 1878.

SIR,—I have the honor to enclose herewith two copies of Minutes of the Executive Council of this Province, dated the 5th inst., further relating to the graving dock at Esquimalt, by embodying therein a telegram dated 6th February, 1874, from the Hon. A. Mackenzie to Hon. A. DeCosmos.

This telegram, it seems, is in the possession of Hon. Mr. DeCosmos, and my Ministers were not, as I am informed, aware of its existence at the time of forwarding the previous documents referring to this dock.

I beg to request that one of the enclosed copies may be forwarded, through the proper channel, to Her Majesty's Principal Secretary of State for the Colonies, for the consideration of the Imperial Government, with the other documents previously forwarded, and that the other copy may be retained by you for the consideration of the Dominion Government, together with the previous papers sent on the dock question.

I have, &c.,

A. N. RICHARDS, *Lieut.-Governor British Columbia.*  
Hon. R. W. Scott, Secretary of State, Ottawa.

*COPY of a Report of a Committee of the Honorable the Executive Council, approved by His Honor the Lieutenant-Governor on the 5th day of January, 1878.*

On a memorandum from the Hon. the Attorney General, dated 29th December, 1877, reporting that the telegram, copy of which is hereto attached, was omitted from among the printed documents relating to the Dominion Government, and towards the construction of the graving dock at Esquimalt, and recommending that it be now published, and that His Excellency the Lieutenant-Governor be requested to be pleased to forward copies thereof, with the marginal note, to the Secretary of State for Canada, and to Her Majesty's Principal Secretary of State for the Colonies, respectively.

The Committee advise that the recommendation be approved.

Certified,

WM. SMITHE, *Minister of Finance and Clerk of Executive Council.*

*The Western Union Telegraph Company.*

OTTAWA, 6th February, 1874.

Received at Victoria, 7th Feb., 1874, 9 p.m.

To A. DeCosmos :

Your telegram went astray. Government offer is to pay two hundred and fifty thousand dollars, as dock work progresses, in lieu of guarantee provided by terms of Union.

A. MACKENZIE.

*Via* Detroit.

The original of this telegram was handed to me by Mr. DeCosmos on the 13th day of November, 1877. This true copy was taken from the original and returned to Mr. DeCosmos, 14th November, 1877.

A. C. ELLIOTT, A. G.

DEPARTMENT SECRETARY OF STATE, OTTAWA, 5th February, 1878.

SIR,—I have the honor to acknowledge the receipt of your despatch of the 10th ultimo, enclosing two copies of a Minute of your Executive Council, dated the 5th ultimo, in further reference to the graving dock at Esquimalt, one of which you request may be transmitted, through the usual channel, to the Right Hon. the Secretary of State for the Colonies, for the consideration of Her Majesty's Government.

I have, &amp;c.,

R. W. SCOTT, *Secretary of State.*

His Honor the Lieutenant-Governor of British Columbia.

DEPARTMENT SECRETARY OF STATE, OTTAWA, 5th February, 1878.

SIR,—I am directed to transmit to you herewith, for the information of His Excellency the Governor-General, a copy of a despatch from His Honor the Lieutenant-Governor of British Columbia, together with the copy of the Minute of the Executive Council therein referred to, in further reference to the graving dock at Esquimalt, which His Honor requests may be transmitted to the Right Hon. the Secretary of State for the Colonies, for the consideration of Her Majesty's Government.

I have, &amp;c.,

EDOUARD J. LANGEVIN, *Under Secretary of State.*

The Governor General's Secretary.

GOVERNOR GENERAL'S OFFICE, 7th February, 1878.

SIR,—I am directed by His Excellency the Governor General to transmit to you the accompanying translation of a cypher telegraphic message received from Her Majesty's Principal Secretary of State for the Colonies, in reply to the message from the Government of British Columbia, a copy of which was communicated to this office in your letters of the 30th ultimo.

I have, &amp;c.,

E. G. P. LITTLETON, *Governor General's Secretary.*

Hon. Under Secretary of State for Canada.

*Translation of a cypher telegram received by His Excellency the Governor General from the Secretary of State for the Colonies, on the 6th instant.*

"Please inform British Columbia Government that some little delay will be necessary before I am able to express an opinion on the Esquimalt dry dock question and other subjects connected with it, but all possible earnest and careful attention will be given to it."

"M. E. HICKS-BEACH,"



*Telegram.*

DEPARTMENT SECRETARY OF STATE, OTTAWA, 7th February, 1879.

To Hon. A. N. RICHARDS, Lieutenant-Governor of British Columbia.

Following received to day.—

“Sir M. Hicks-Beach’s telegram of 6th in cypher.”

R. W. SCOTT.

GOVERNMENT HOUSE, VICTORIA, B. C., 29th January, 1878.

SIR,—I have the honor to enclose you herewith copy of a Minute of my Executive Council, dated 24th instant, embodying a telegram to be sent to the Secretary of State for the Colonies, on the subject of the dry dock at Esquimalt.

I beg also to inform you that on the 25th instant I telegraphed to you to have the said telegram transmitted to the Secretary of State for the Colonies, and to telegraph any answer back to me.

I have, &amp;c.,

A. N. RICHARDS, *Lieutenant-Governor.*

Hon. R. W. SCOTT, Secretary of State.

*COPY of a Report of a Committee of the Honorable the Executive Council, approved by His Honor the Lieutenant-Governor on the 24th day of January, 1878.*

On a memorandum from the Hon. the Attorney-General, dated the 23rd January, 1878, reporting that no answer has been received from the Secretary of State for the Colonies to the reports of the Committee of the Executive Council, respecting the dry dock at Esquimalt, dated respectively 11th June, 1877, 21st July, 1877, and the 28th September, 1877, and recommending that in view of the approaching Session of the Legislature the following telegram be sent to the Secretary of State for the Colonies, requesting a reply to the propositions forwarded:

“Legislature meets 7th February; Government anxiously awaiting answer to Minute of Council respecting dry dock, Esquimalt.”

The Committee advise that the recommendation be approved.

Certified.

WM. SMITHE, *Minister Finance and Clerk Executive Council.*

DEPARTMENT SECRETARY OF STATE, OTTAWA, 13th February, 1878.

SIR,—I have the honor to acknowledge the receipt of your despatch, No. 6, of 29th ultimo, enclosing a copy of a Minute of your Executive Council, embodying a telegram which they desire may be sent to the Secretary of State for the Colonies, on the subject of the dry dock at Esquimalt.

The telegram in question was duly received at this Department on the 30th ultimo, and was despatched, as requested, to the Secretary of State for the Colonies, whose reply thereto was communicated to you in cypher on the 7th instant.

I have, &amp;c.,

R. W. SCOTT, *Secretary of State.*

His Honor the Lieutenant-Governor of British Columbia.

## PAPERS

Relating to the construction of the Esquimalt Graving Dock.

By Command,

T. BASIL HUMPHREYS, *Provincial Secretary.*

Provincial Secretary’s Office, 5th April, 1880.

*The Secretary of State for Canada to the Lieutenant-Governor.*

OTTAWA, 2nd May, 1879.

SIR,—I have the honor to transmit to you herewith, for the information of your Government, a copy of an Order of His Excellency the Governor General in Council,

and of the memorandum of the Hon. the Minister of Finance, therein referred to on the subject of the construction of a graving dock at Esquimalt, in British Columbia.

I have, &c.,

J. C. AIKINS, *Secretary of State.*

*Copy of a Report of a Committee of the Honorable the Privy Council, approved by His Excellency the Governor-General in Council on the 29th April, 1879.*

The Committee have had under consideration the report, dated the 10th April, 1879, of the Hon. the Minister of Finance, relative to the construction of a graving dock at Esquimalt, B.C., and on his recommendation they advise that authority be asked of Parliament to vary the agreement set forth in the 12th section of the terms of Union between the Dominion of Canada and the Province of British Columbia, and in the meantime that he be allowed to make advances to the Province to an extent not to exceed £50,000 sterling, as the work progresses, the same to be charged to an interim account, to be called "The Province of British Columbia Graving Dock Account."

Certified.

W. A. HIMSWORTH, *Clerk Privy Council.*

#### MEMORANDUM TO COUNCIL.

The undersigned has the honor to report that he has received a letter from the Hon. A. DeCosmos, under date of the 25th March, 1879, on the subject of the expenditure for the construction of a graving dock at Esquimalt, by the Provincial Government of British Columbia. This letter is accompanied by a statement showing the sum expended and the liability incurred on this work, to the 31st December last, amounting in all to \$208,998.32.

Also the undersigned has to report that by section 12 of the terms of Union between the Dominion of Canada and the Province of British Columbia, it was agreed that—"The Dominion Government shall guarantee the interest for ten years, from the date of the completion of the works, at the rate of five per centum per annum, of such sum, not exceeding £100,000 sterling, as may be required for the construction of a first-class graving dock at Esquimalt."

The undersigned has further to report that during the autumn of 1873 negotiations were entered into between the Dominion and Local Governments to vary the agreement set out as above, but that to the present no alteration has been made in the agreement, and no money has been paid by the Dominion Government in aid of the construction of the dock.

The undersigned recommends that authority be asked of Parliament to vary the agreement as set forth, and in the meantime that he be allowed to make advances to the Province, to an extent not to exceed £50,000 sterling, as the work progresses, the same to be charged to an interim account, to be called "The Province of British Columbia Graving Dock Account."

S. L. TILLEY, *Minister of Finance.*

FINANCE DEPARTMENT, OTTAWA, 10th April, 1879.

*Telegram.*

VICTORIA, 30th May, 1879.

HON. AMOR DECOSMOS, Ottawa:

Before leaving Ottawa, please see Finance Minister and have dock money credited Province.

GEO. A. WALKEM.



*Telegram.*

VICTORIA, 11th June, 1879.

Sir JOHN A. MACDONALD, Ottawa :

Wish to proceed immediately with dock. Plans ready. Have expended about \$200,000. Local Act last Session authorizes Government to let contract, if you pay us the advances. Please see it and arrange for advances through bank here.

GEO. A. WALKEM.

*COPY of a Report of a Committee of the Honorable the Executive Council, approved by His Honor the Lieutenant-Governor on the 27th day of June, 1879.*

On a memorandum of the 26th day of June, instant, from the Hon. the Chief Commissioner of Lands and Works, reporting that the contractors for the cofferdam at Esquimalt discontinued work in March last, and have not resumed it, and that he learns from the resident engineer that if the present low spring tides are not taken advantage of for the purpose of completing the bolting up of the dam in its lowest tiers, and deepening the channels for the sluices, this highly necessary portion of the work cannot be done till next spring, and the completion of the whole dam be thereby delayed, and recommending that possession of the work, plant, tools, &c., be at once taken, on behalf of the Government, by the Chief Commissioner, and that tenders be immediately invited for the completion of the unfinished portion of the work, and for the maintenance and removal of the dam, as provided in the contract with Messrs. Reed Bros. & Co.

The Committee advise that the recommendation be approved.

Certified.

T. BASIL HUMPHREYS, *Clerk Executive Council.**Telegram.*

VICTORIA, 30th June, 1879.

Sir JOHN A. MACDONALD, Ottawa :

Please telegraph credit here for dock money, as tenders for construction should be invited immediately in Canada and England, otherwise another year will be lost, and delay will ruinously weaken present works, as sea-worm of coast rapidly destroys exposed woodwork.

GEO. A. WALKEM.

*COPY of a Report of a Committee of the Honorable the Executive Council, approved by His Honor the Lieutenant-Governor on the 3rd July, 1879.*

In a memorandum of the 30th day of June, 1879, relating to the Esquimalt graving dock, the Hon. the Chief Commissioner of Lands and Works has reported as follows :—

That he has, during the last two months, had direct and indirect communications, of a confidential character, with the Right Hon. the Premier and other members of the Dominion Cabinet, respecting the promised payment by the Dominion to this Province of a sum of \$250,000 on graving dock account, in lieu of the guarantee in aid of the work contained in the terms of Union; and that it is desirable that a proper official understanding should be arrived at between the two Governments regarding this payment as soon as possible, as tenders for the construction of the dock should be invited, in anticipation of the completion of the cofferdam, which may be expected in a few months.

The Minister states that owing to the very destructive character of the sea-worm in our waters, the wood work of the cofferdam should not be longer exposed than is unavoidable, as the worm attacks and destroys it. The valuable plant and material now on the spot also suffer more or less damage from delay. Apart from this, it is unquestionably in the interests of the Province, as well as of the Dominion, that a work like the dock should be made available for its purpose as expeditiously as practicable. Unfortunately, the promise made by the Dominion Ministry of 1873,

above referred to, was not regarded by their successors in office as binding them, for reasons it is needless now to refer to, and the Province has consequently, during the last five years or more, been obliged, in connection with the same, to meet heavy engagements, which the good faith of the Dominion was pledged to discharge.

The Chief Commissioner recommends that application be made to the Dominion Government for payment by advances of the sum of \$250,000 in aid of the dock and of the guarantee contained in the terms of Union, as it is desirable to invite tenders at once for the construction of the main work. He also recommends that a copy of this report (if approved) be forwarded to the Hon. the Secretary of State. The Committee advise that the recommendation be approved.

Certified.

T. BASIL HUMPHREYS, *Clerk Executive Council.*

*of a Report of a Committee of the Honorable the Executive Council, approved by His Excellency the Lieutenant-Governor on the 15th day of July, 1879.*

The Hon. the Chief Commissioner of Lands and Works, by memorandum of the 15th day of July, 1879, reports that, having taken possession, on behalf of the Government, of the cofferdam works, on account of the failure of Messrs. Reed Bros. & Co., contractors, to perform the work according to contract, he caused advertisements to be inserted on the 27th June last in the *Gazette* and *Standard*, inviting tenders for completion, maintenance and removal of the cofferdam, according to the terms of Messrs. Reed Bros.' contract, which tenders were required to be sent to the Lands and Works Department on or before 12 o'clock noon of the 12th July inst.; that two tenders were received—one from Gray & Allison, for \$50,383, and the other from A. J. McLellan, for \$25,260; that he referred both tenders to the resident engineer of the dock works for report; that his report, which is submitted herewith (*vide* Chief Commissioner's report) advises the Government to accept neither tender, but to carry on the work under its own management, for reasons set forth in the said report. And the Chief Commissioner recommends that the opinion of the engineer be followed, and at once acted upon.

The Committee advise that the recommendation be approved.

Certified.

T. BASIL HUMPHREYS, *Clerk Executive Council.*

*Cablegram.*

VICTORIA, 7th August, 1879.

JOHN A. MACDONALD, Dominion Agency, London :

No reply to our application 30th June. Telegraph your Government pay \$350,000 account of dock, as requested. Wish to push main work but prevented until your agreement. Please arrange with Imperial Government for them also to pay as work progresses.

GEO. A. WALKER.

*of a Report of a Committee of the Honorable the Executive Council, approved by His Honor the Lieutenant-Governor on the 12th day of August, 1879.*

The Committee of Council have had under consideration the question of the money promised to be paid by the Dominion Government in aid of the graving dock, and about to be charged to an "interim account" called the "Province of British Columbia Graving Dock Account," as reported by the Hon. the Finance Minister of Canada, when asking authority for the purpose, in the following words:—

"That he be authorized to make advances to the Province to an extent not to exceed £50,000 sterling, as the work progresses, the same to be charged to an interim account, to be called the 'Province of British Columbia Graving Dock Account.'"

The Committee would remark that the sum promised is \$250,000 in currency, and for this and other reasons they consider it advisable that the Dominion Govern-



ment be respectfully requested to place the agreement between the two Governments in the form of an Order in Council, to the effect that the sum of \$250,000 will be paid to this Province for graving dock purposes in lieu of the guarantee given the Province in the 12th clause of the terms of Union, with an assurance that the amount, or any part thereof, will not be charged to the debt or subsidy account of the Province, and that neither principal nor interest is to be repaid by the Province.

The Committee would observe that they have every confidence in the Dominion Government fulfilling their agreement, but so many serious misunderstandings, followed by disastrous disappointments, have occurred, that they trust the Dominion Government will recognize the advantage of such a course to both Governments.

The Committee, before closing, would also invite the attention of the Dominion Government to the fact that tenders for the construction of the main works would have been invited some months ago had their representations to the Dominion Government met with a satisfactory response, as delay in construction means positive direct pecuniary loss, from deterioration of plant and material, as stated on a former occasion.

The Committee regret that they should feel compelled to trouble the Dominion Government so often on this subject, especially at the present juncture, but they confidently hope that the present request will be favorably considered and cordially met, and that the Dominion Government will be pleased to so inform this Government and send them a copy of their Minute to that effect.

The Committee advise that a copy of this Minute of Council, if approved, be forwarded to the Federal Government.

Certified.

T. BASIL HUMPHREYS, *Clerk Executive Council.*

*Cablegram.*

VICTORIA, 19th August, 1879.

Sir JOHN A. MACDONALD, London :

Dock contract ready, but wish assurance before proceeding that Dominion will pay \$250,000 without requiring repayment principal or interest. Please reply. Will England further assist the work ?

GEO. A. WALKEM.

*(Cablegram.)*

20th August, 1879.

G. A. WALKEM, Victoria :

Dominion Government will advance \$250,000 to British Columbia Government as work on dock progresses, in proportion to estimated cost whole works, not requiring repayment of principal or interest if dock is completed.

MACDONALD, London.

*COPY of a Report of a Committee of the Honorable the Executive Council, approved by His Honor the Lieutenant-Governor on the 9th October, 1879.*

The Committee of Council deem it advisable, as a matter of record and to avoid any misapprehension hereafter, that the Right Hon. the Secretary of State for the Colonies should be respectfully informed that as the Imperial authorities have not, to the present time, considered it expedient to accept the offer of the Provincial Government, contained in an Order in Council approved of on the 28th day of March 1878, to the effect that "in the event of the Imperial Government agreeing to complete the Esquimalt graving dock as an Imperial work, without loss of time, the Province would grant to the Admiralty the Esquimalt graving dock site, and the plant, material and work done in connection therewith, provided merchant vessels might be docked on payment of expenses and when not inconvenient to Her Majesty's navy," such offer is hereby formally withdrawn, and that the Government of the Province has been proceeding with the construction of the work, and has invited

ers in England and elsewhere for its completion, according to the plans approved by the Admiralty, and upon and subject to the terms agreed upon between Her Majesty's Government and the Dominion, with respect to the work and the subsidy of 50,000 sterling promised to be paid to the Province by the Imperial Government on completion of the work.

The Committee further advise that copies of this Minute (if approved) be respectfully forwarded to the Dominion Government and to Her Majesty's Principal Secretary of State for the Colonies.

Certified.

T. BASIL HUMPHREYS, *Clerk Executive Council.*

*Telegram.*

28th October, 1879.

JOHN A. MACDONALD:

Please forward Order Privy Council in reply to our Minute of 12th August last, respecting dock advances.

GEO. A. WALKEM.

*Telegram.*

VICTORIA, B.C., 18th November, 1879.

JOHN A. MACDONALD, Ottawa:

Please have Council Minute of dock agreement, in accordance with our despatch, forwarded. See Order in Council.

GEO. A. WALKEM.

*The Secretary of State for Canada to the Lieutenant-Governor.*

OTTAWA, 21st November, 1879.

SIR,—I have the honor to transmit to you herewith, for the information of your Government, a copy of an Order of His Excellency the Governor General in Council, on the subject of advances to be made by this Government to the Province of British Columbia on account of the construction of the graving dock at Esquimalt. I have to request that the views of your Government on the subject may be communicated at as early a date as possible.

I have, &c.,

J. C. AIKINS, *Secretary of State.*

*of a Report of a Committee of the Honorable the Privy Council, approved by His Excellency the Governor General in Council on the 13th November, 1879.*

On a report, dated 12th November, 1879, from the Hon. the Minister of Marine, stating that on his recommendation an Order in Council was passed on the 4th April last, authorizing advances to be made for the construction of a graving dock at Esquimalt, British Columbia, and that the Order in Council cited the original agreement made at the time of the Union, and, in addition, stated that the sanction of Parliament would be asked to vary the terms as far as concerned the advances to the graving dock.

That he now finds the latter part of the above cited Order is unnecessary, inasmuch as the terms of Union were varied by Act 37 Vic., chap. 17, and he now amends that advances be made to the Province of British Columbia as the work of construction of the dock progresses; such advances to be charged to an interim account, and that such account be kept open for a period of three years from the date of this Minute, and if within that time the work of construction of the dock be completed, then the advances made to be charged to consolidated fund, but if the work of the construction of the dock be not completed within the time specified, then the advances made to be charged to the debt account of the Province of British Columbia.



The Minister recommends that on the terms above mentioned the sum of one hundred thousand dollars (\$100,000) be now advanced to the Province of British Columbia.

The Committee submit the above recommendation for Your Excellency's approval, and that a copy of this Minute be transmitted to the Lieutenant-Governor of British Columbia for their acceptance or rejection.

Certified.

J. O. COTÉ, *Assistant Clerk.*

*COPY of a Report of a Committee of the Honorable the Executive Council, approved by His Honor the Lieutenant-Governor on the 15th day of December, 1879.*

The Committee of Council, having considered the recent Minute of the Hon. the Privy Council, dated the 13th day of November last, respecting the proposed aid to the graving dock, deem it very unsatisfactory, inasmuch as the conditions contained in the Minute for re-payment of moneys advanced to the Province is not in accordance with the understanding and agreements hitherto arrived at between the Dominion and Provincial Governments on this subject. An advance of \$100,000 is not what is now required, but payments on the progress of the work are needed. It is advisable, under the circumstances, to have the following telegram, which is intended to embody the views of the Council on the matter, immediately forwarded to Hon. the Secretary of State by His Honor the Lieutenant-Governor:—

*Telegram.*

"VICTORIA, 15th December, 1879.

"To the Hon. the Secretary of State, Ottawa :

"Advance of one hundred thousand dollars for dock, as advised by Council Minute just received, is not what is wanted or was expected, but payments on certificates of progress of work up to two hundred and fifty thousand dollars are required without conditions for repayment, under any circumstances, of principal or interest by Province. Please see our dock specifications, Public Works Department, section fifty-seven, as to our payments, and also note how completely your payments are secured. Government wish Minute of Privy Council immediately rectified and to give graphic notice thereof sent officially, otherwise cannot let contract on twenty-seven. Province has already invested nearly two hundred thousand dollars in machinery, material and labor."

The Committee advise approval of the above, and that a copy of this Minute be forwarded.

T. BASIL HUMPHREYS, *Clerk Executive Council.*

*Telegram in Reply.*

OTTAWA, 20th December, 1879.

To His Honor the Lieutenant-Governor of British Columbia :

All Dominion Government wants by Order in Council is that subsidy shall stand as security for ultimate completion of graving dock by your Government. Time may be extended.

J. C. AIKINS, *Secretary of State.*

*The Lieutenant-Governor to the Secretary of State for Canada.*

VICTORIA, 29th December, 1879.

SIR,—I have the honor to enclose to you herewith a copy of a Minute of the Executive Council, dated 27th inst., having reference to my Premier, the Hon. M. J. Walkem, proceeding to Ottawa to consult the Dominion Government on the subject of the advance of \$250,000 to the Province to aid the construction of the Esquimaux graving dock, and also upon other matters therein mentioned.

I have, &c.,

A. N. RICHARDS, *Lieutenant-Governor British Columbia*

*COPY of a Report of a Committee of the Honorable the Executive Council, approved by His Excellency the Lieutenant-Governor on the 27th day of December, 1879.*

The Committee of Council have had under consideration the recent unexpected and additional conditions attached by the Dominion Government to their agreement to pay \$250,000 in aid of the construction of the Esquimalt graving dock; and they deem it advisable, in order to expedite the letting of the work and to secure its speedy completion, that the leader of the Provincial Government be authorized to proceed immediately to Ottawa to confer with and make such arrangements with the Dominion Government as are within the powers of the Provincial Government.

They are also of opinion, in view of the approaching sessions of both the Dominion and Local Legislatures, that some satisfactory understanding between the two Governments should be arrived at with respect to railway matters as affecting the island, Indian affairs, the administration of justice, Chinese immigration, the Cariboo main trunk road, the subsidizing of a line of vessels for the encouragement of trade between the Eastern Provinces and this Province, and also to minor matters of unsettled accounts between the two Governments.

The Committee therefore advise that the leader of the Government (Mr. Walkem) be authorized to proceed to Ottawa and confer with the Dominion Government upon the matters above mentioned.

Certified.

T. BASIL HUMPHREYS, *Clerk Executive Council.*

*The Secretary of State for Canada to the Lieutenant-Governor.*

OTTAWA, 21st February, 1880.

SIR,—With reference to my letter of the 21st November last, I have the honor to transmit to you herewith, for the information of your Government, a copy of an Order of His Excellency the Governor General in Council, on the subject of the construction of a graving dock at Esquimalt.

I have, &c.,

J. C. AIKINS, *Secretary of State.*

*COPY of a Report of a Committee of the Honorable the Privy Council for Canada, approved by His Excellency the Governor General in Council on the 12th February, 1880.*

On a report, dated 11th February, 1880, from the Hon. the Minister of Finance, stating that he has had under consideration despatches received from the Lieutenant-Governor of British Columbia on the subject of the advances proposed to be made by the Dominion Government for the construction of the graving dock at Esquimalt, and that in order to arrive at a settlement of the question he has had several interviews with the Hon. the Attorney-General of the Province, who has been deputed to confer with the Dominion Government in connection with the same subject.

The Minister states that he has given the subject his most careful consideration, and that, in his opinion, it is desirable to modify the Order in Council of the 13th November last, and to substitute one in accordance with certain provisions and conditions set forth in his report, hereto attached.

The Committee recommend that said report be approved and acted on, and that copies of this Minute be transmitted to the Right Hon. the Secretary of State for the Colonies, and to the Lieutenant-Governor of British Columbia.

Certified.

J. O. COTÉ, *Clerk Privy Council, Canada.*

#### REPORT OF MINISTER OF FINANCE.

The undersigned has the honor to report that he has under consideration despatches received from the Lieutenant-Governor of British Columbia on the subject of the advances proposed to be made by the Dominion Government for the construction of the graving dock at Esquimalt, and that in order to arrive at a settlement of



the question he has had several interviews with the Hon. the Attorney-General of the Province, who has been deputed to confer with the Dominion Government in connection with the same subject.

The undersigned has given the subject his most careful consideration, and now begs leave to state that, in his opinion, it is desirable to modify the Order in Council of the 13th November last, and to substitute one in accordance with the following provisions and conditions:—

*Firstly.*—The Hon. the Attorney-General having stated that the plans and specifications of the dock prepared by Messrs. Kinipple & Morris, of London, England, have been left for inspection with the Department of Public Works, and are those upon which tenders have been invited, the undersigned recommends that advances be made to the Province as the work progresses, to an extent not to exceed in the whole the sum of \$250,000, such advances not to include the value of any material or plant already obtained by the Provincial Government for the purposes of the graving dock.

*Secondly.*—That such advances be made on the certificates of the engineer of the Provincial Government, countersigned by the agent of the Dominion in British Columbia.

*Thirdly.*—That in case the Government of British Columbia should fail, from any cause to proceed actively with the construction of the work, for a period of three months after the receipt of a written request from the Dominion Government to prosecute the same, then that the latter shall have the right to enter upon and take possession of the works and premises and complete the same.

*Fourthly.*—That in case of such entry the Canadian Government shall be entitled to claim and receive from the Imperial Government the promised grant in aid of £50,000 stg., or any increase of such grant. It is understood that if any balance of such grant should remain unexpended after defraying the outlay made by the Dominion Government, in consequence of the failure, as aforesaid, of the Province, such balance shall be paid to said Province, while, on the other hand, if said grant in aid should prove insufficient to complete the works, the amount of the deficiency shall be placed to the debit of the debt account of the Province. It is further understood that the right of property in the dock shall, subject to the temporary right of possession, as before mentioned, remain in the Government of British Columbia.

*Fifthly.*—That the Imperial Government shall be made a party to this arrangement, and its approval obtained.

*Sixthly.*—That the sanction of the Legislature of British Columbia be also obtained to this agreement.

*Seventhly.*—That, subject to the foregoing conditions, the advances so made of \$250,000 shall not bear interest, and shall be considered as a grant of money in lieu of the 12th article of the terms of Union between Canada and British Columbia.

All of which is respectfully submitted.

S. L. TILLEY, *Minister of Finance.*

FINANCE DEPARTMENT, 11th February, 1880.

COPY

(183)

Of a minute of Council, relating to the construction of the Graving Dock at Esquimalt, B.C.

On a report dated 11th February, 1880, from the Hon. the Minister of Finance, stating that he has had under consideration despatches received from the Lieutenant-Governor of British Columbia on the subject of the advances proposed to be made by the Dominion Government for the construction of the graving dock at Esquimalt, and that in order to arrive at a settlement of the question he has had several interviews with the Hon. the Attorney-General of the Province, who has been deputed to confer with the Dominion Government in connection with the same subject.

The Minister states that he has given the subject his most careful consideration, and that in his opinion it is desirable to modify the Order in Council of the 13th

November last, and to substitute one in accordance with certain provisions and conditions, set forth in his report hereto attached.

The Committee recommend that said report be approved and acted upon, and that copies of this Minute be transmitted to the Right Hon. the Secretary of State for the Colonies, and to the Lieutenant-Governor of British Columbia.

L. R. MASSON.

Approved 12th February, 1880.

LORNE.

FINANCE DEPARTMENT, OTTAWA, 11th February, 1880.

The undersigned has the honor to report that he has had under consideration despatches received from the Lieutenant Governor of British Columbia on the subject of the advances proposed to be made by the Dominion Government for the construction of the graving dock at Esquimalt, and that in order to arrive at a settlement of the question he has had several interviews with the Hon. the Attorney-General of the Province, who has been deputed to confer with the Dominion Government in connection with the same subject.

The undersigned has given the subject his most careful consideration, and now begs leave to state that, in his opinion, it is desirable to modify the Order in Council of the 13th November last, and to substitute one in accordance with the following provisions and conditions:—

*Firstly.*—The Hon. the Attorney-General having stated that the plans and specifications of the dock, prepared by Messrs. Kinnipple & Morris, of London, England, have been left for inspection with the Department of Public Works, and are those upon which tenders have been invited, the undersigned recommends that advances be made to the Province as the work progresses, to an extent not to exceed in the whole the sum of \$250,000—such advances not to include the value of any material or plant already obtained by the Provincial Government for the purpose of the graving dock.

*Secondly.*—That such advances be made on the certificate of the engineer of the Provincial Government, countersigned by the agent of the Dominion Government in British Columbia.

*Thirdly.*—That in case the Government of British Columbia should fail, from any cause, to proceed actively with the construction of the work, for a period of three months after the receipt of a written request from the Dominion Government to prosecute the same, then that the latter shall have the right to enter upon and take possession of the works and premises and complete the same.

*Fourthly.*—That in case of such entry the Canadian Government shall be entitled to claim and receive from the Imperial Government the promised grant in aid, of £50,000 sterling, or any increase of such grant.

It is understood that if any balance of such grant in aid should remain unexpended after defraying the outlay made by the Dominion Government in consequence of the failure, as aforesaid, of the Province, such balance shall be paid to said Province; while, on the other hand, if said grant in aid should prove insufficient to complete the work, the amount of the deficiency shall be placed to the debit of the debt account of the Province.

It is further understood that the right of property in the dock shall, subject to the temporary right of possession, as before mentioned, remain in the Government of British Columbia.

*Fifthly.*—That the Imperial Government shall be made a party to this arrangement and its approval obtained.

*Sixthly.*—That the sanction of the Legislature of British Columbia be also obtained to this agreement.

*Seventhly.*—That, subject to the foregoing conditions, the advances so made of \$250,000 shall not bear interest, and shall be considered as a grant of money in lieu of the 12th article of the terms of Union between Canada and British Columbia.

All which is respectfully submitted.

S. L. TILLEY, Minister of Finance.



## RETURN

(81)

To an ADDRESS of the HOUSE OF COMMONS, dated 15th March, 1883 ;—For copies of all Correspondence, Reports, Plans, Specifications, &c., in connection with the Surveys made in 1882, for the construction of a Canal between Lake Shuswap and Lake Okanagan, British Columbia.

By Command,

HECTOR L. LANGEVIN, *Acting Secretary of State.*

Department of the Secretary of State, Ottawa, 10th April, 1883.

## SURVEY OF 1882, BETWEEN SHUSWAP AND LAKE OKANAGAN, BRITISH COLUMBIA.

June 8, 10, 1880.—From Clerk Privy Council, with a Minute of the Executive Council of British Columbia *re* a canal to connect Lake Okanagan with Lake Shuswap, which asks that a survey be made to ascertain the cost of the work.

July 7.—To Hon. J. W. Trutch, No. 53907, a Minute of the Executive Council of British Columbia having been received asks for a statement of facts on the subject.

August 6, 21.—From Hon. J. W. Trutch, in reply to No. 53907, sends what information he has gathered from Messrs. Forbes G. Vernon and O'Rielly, both of whom are well acquainted with the locality.

September 1.—To Hon. J. W. Trutch, No. 54266, asking for an approximate estimate cost of an instrumental survey of the proposed canal.

Oct. 16 to Nov. 5.—From Hon. J. W. Trutch, acknowledging No. 54266. Cannot obtain detailed information of cost of instrumental survey, but thinks \$1,000 would cover cost of engineering survey.

April 13, 20, 1881.—From Secretary Public Works, with extract from letter, from F. J. Barnard, M.P., 9th March, to Sir John A. Macdonald, *re* canal between Lakes Okanagan and Shuswap, British Columbia.

June 9, 21, 1882.—From F. J. Barnard, M.P., No. 95249, giving between the 15th July and 1st August as the most suitable time for a survey of the Spellumacheen-Okanagan Canal.

June 28.—To F. J. Barnard, M.P., acknowledging No. 95249.

July 8.—To F. J. Barnard, M.P., stating that instructions have been issued relative to survey of the Spellumacheen-Okanagan Canal.

January 16, 31, 1883.—From Hon. J. W. Trutch, forwarding report, plans and profiles of survey made by L. B. Hamlin, C.E., between Spellumacheen River and Okanagan Lake, British Columbia.

*Copy of a Report of a Committee of the Honorable the Executive Council, approved by His Excellency the Lieutenant-Governor on the 12th day of May, 1880.*

On a memorandum from the Hon. the Provincial Secretary, dated the 12th day of May, 1880, reporting the following resolutions as having passed the House of Assembly, viz :—

\* \* \* \* \*

"That a respectful Address be presented to His Honor the Lieutenant-Governor praying that he will represent to the Dominion Government the great advantage that would accrue to the Dominion as well as to the Province if a canal were built connecting Lake Okanagan with the waters of Lake Shuswap, and ask that the necessary surveys should be made as early as possible, to ascertain the cost of constructing a canal between the above-named places."

And recommending that they be forwarded to the Dominion Government.  
The Committee advise that the recommendation be approved.

Certified.

THOMAS B. HUMPHREYS, *Clerk Executive Council.*

## PROVINCE OF BRITISH COLUMBIA,

GOVERNMENT HOUSE, VICTORIA, 17th May, 1880.

SIR,—I have the honor to enclose a copy of a report of my Executive Council, dated the 12th day of May, instant, on a memorandum from the Hon. the Provincial Secretary, reporting sundry resolutions therein recited as having passed the House, and recommending that they be forwarded to the Dominion Government.

Which resolutions refer to (a) The Order in Council of December, 1879, granting a drawback of one cent per pound on malt imported.

(b) The establishment of a monthly mail between Victoria and Dease Town, Cassiar.

(c) The establishment of mail communication between Barkerville, Snowshoe, Keithley, and Quesnelle Forks.

(d) The necessity of having the mail extended to Alkali Lake.

(e) The great advantage that would accrue to the Dominion as well as to the Province if a canal were built connecting Lake Okanagan with the waters of Lake Shuswap, and asking that the necessary surveys should be made to ascertain the cost of same.

I have, &c.,

Secretary of State.

A. N. RICHARDS, *Lieutenant-Governor.*

*COPY of a Report of a Committee of the Honorable the Executive Council, approved by His Excellency the Lieutenant-Governor on the 12th day of May, 1880.*

On a memorandum from the Hon. the Provincial Secretary, dated the 12th day of May, 1880, reporting the following resolutions as having passed the House of Assembly, viz :—

“That a respectful Address be presented to His Honor the Lieutenant-Governor, praying that he will be pleased to impress upon the Dominion Government the necessity of reconsidering the Order in Council of December, 1879, granting a drawback of one cent per pound on malt imported into the Dominion of Canada, with a view to rescind the said Order, as its effect is most disastrous to the agriculturists of this Province.

“That a respectful Address be presented to His Honor the Lieutenant-Governor, praying that he will recommend to the Dominion Government the absolute necessity of establishing a monthly mail between Victoria and Dease Town, Cassiar.

“That a respectful Address be presented to His Honor the Lieutenant-Governor, praying that he will cause a representation to be made to the Dominion Government in favor of the establishment of mail communication between Barkerville, Snowshoe, Keithley and Quesnelle Forks.

“That a respectful Address be presented to His Honor the Lieutenant-Governor, praying that he will cause a representation to be made to the Dominion Government of the necessity of having the mail extended to Alkali Lake.

“That a respectful Address be presented to His Honor the Lieutenant-Governor, praying that he will represent to the Dominion Government the great advantages that would accrue to the Dominion as well as to the Province if a canal were built connecting Lake Okanagan with the waters of Lake Shuswap, and ask that the necessary surveys should be made as early as possible, to ascertain the cost of constructing a canal between the above named places.”

And recommending that they be forwarded to the Dominion Government.

The Committee advise that the recommendation be approved.

Certified.

THOMAS B. HUMPHREYS, *Clerk Executive Council.*

OTTAWA, 11th July, 1880.

SIR,—Reference having been made to this Department from the Hon. the Privy Council of a Minute from the Hon. the Executive Council of the Province of British Columbia, transmitted by His Honor the Lieutenant-Governor, whereby it is proposed



that the Dominion Government should cause survey to be made, with a view to the construction of a canal to connect Lake Okanagan with Lake Shuswap, I have, by direction of the Minister, to request that you will be pleased to furnish, for his information, a statement of such facts bearing upon the matter as may have come within your cognizance, in order that he may be enabled to form conclusions as to the propriety of undertaking the execution of the work.

I am, Sir, your obedient servant,

T. TRUDEAU.

Hon. JOSEPH TRUTCH, Dominion Agent, Victoria, B.C.

P.S.—I enclose herewith a copy of an extract from the report of the Executive Council referred to.—T. T.

VICTORIA, B.C., 6th August, 1880.

SIR,—With reference to your instructions conveyed to me by letter of 10th ultimo, No. 53907, from the Deputy Minister of Railways and Canals, that I should furnish such information as may have come within my own cognizance, with respect to the subject matter of the Minute of the Executive Council of this Province, a copy of which was transmitted with Mr. Trudeau's letter, I have the honor to state that I have never visited the Okanagan Lake or the country lying between it and Lake Shuswap.

I have, however, in years past, obtained reports from various persons as to the facilities for connecting the waters of these two lakes by a navigable canal, and since the receipt of your instructions now under reference I have conferred with Mr. Forbes G. Vernon, formerly Chief Commissioner of Lands and Works of this Province, who has for seventeen years (17) resided at intervals on his estate, Coldstream, in the immediate neighborhood of the northern end of Okanagan Lake, and has consequently an intimate knowledge of the country in question, and who is at present and has been for some years one of the members in the Provincial Legislature for the representative district within which Okanagan and Shuswap Lakes are included; as also with Mr. O'Reilly, county court judge of that district, who likewise is well acquainted with the locality. As the result of these various enquiries, I beg to submit the following statement which I believe conveys substantially the facts of the case.

Between Okanagan and Shuswap Lakes there appears to be little, if any, difference of general level, and the country lying between is a nearly level valley of varying breadth from two to           miles, mostly covered with luxuriant grass but with bush along the stream which runs through its centre between somewhat swampy banks and in a muddy bed.

The distance from Okanagan Lake to the point known as the steamboat landing on the Shuswap River is about (15) fifteen miles.

At a point in the valley about equi-distant from the steamboat landing on Shuswap River and Okanagan Lake is the watershed between Okanagan and Shuswap Lakes.

From this point the stream flowing northward, and which joins the Spellumcheen River, and helps to form the Shuswap River, is sluggish, the current being almost imperceptible; and from the steamboat landing to Shuswap Lake there is no current; in fact the river here may be considered as an arm of the lake. From this last point steamers are now plying down Shuswap Lake, the South Thompson River and Kamloops Lake to Savona's, the terminal point of the section of the Canadian Pacific Railway, now under contract, a distance of about one hundred and fifty (150) miles, and this line of navigation may be, and I understand is, intended to be extended down the Thompson a further distance of thirty-five (35) miles, to Spence's Bridge, the main impediment being a large rock at the Black Canon, which might be removed at moderate cost. From the divide between Okanagan and Shuswap Lakes the water flows very sluggishly southward, with a hardly perceptible current, for about six (6) miles, to a point about two (2) miles from Okanagan Lake, forming a small lake two (2) miles long. About midway of this distance from this latter point

for the remaining two (2) miles to Okanagan Lake, the current is perceptible, though still sluggish.

On the whole, the features of the country seem to present great facility for connecting Okanagan and Shuswap Lakes by a navigable canal at a small cost: in fact, there is every indication of these two lakes having been at one time one sheet of water.

Okanagan Lake is about eighty (80) miles long and from one to two miles in width; the surrounding country affords extensive pastoral and agricultural resources, which would at once be rendered available and tributary to the railway system by the opening of a means of water transport from Okanagan Lake to Shuswap Lake.

On the whole, I can have no hesitation in expressing the opinion that it is desirable that the actual facts in relation to this subject should be determined by actual survey, the expense of which ought not to be very considerable, and certainly should not exceed one thousand dollars.

I have the honor to be, Sir, your obedient servant,

JOSEPH W. TRUTCH.

Hon. Sir CHARLES TUPPER, K.C.M.G., Minister of Railways and Canals.

OTTAWA, 7th September, 1880.

SIR,—With reference to the report furnished by you on the 6th ultimo, upon the subject of canal communication between Lake Okanagan and Lake Shuswap, B.C., I am directed to request that you will be pleased to obtain from competent authorities an approximate estimate of the cost of an instrumental survey for such a canal, giving further a general idea of the expenses which would be incurred in arriving at an estimate of the cost of the work itself.

I am, Sir, your obedient servant,

F. BRAUN, *Secretary*.

Hon. J. W. TRUTCH, Dominion Agent, Victoria, B.C.

VICTORIA, B.C., 16th October, 1880.

SIR,—In reference to your directions conveyed to me by letter, No. 54266, of the 7th ultimo, that I should obtain from competent authority an estimate of the cost of an instrumental survey of the country between Shuswap and Okanagan Lakes, with a view to canal communication between these two lakes, and of the expenditure necessary for ascertaining the probable cost of such a work.

I regret that I am unable to obtain detailed information from any source available to me as to particulars of the expenditure that would be required for the survey and calculations in question, but I have no reason to doubt that the sum suggested in my letter to you of the 6th August last, viz., \$1,000, would cover all the cost of making an engineering survey of the country between the two lakes and of locating approximately the line of the proposed canal, and by obtaining a profile and cross-sections, and making borings at intervals throughout the distance of about fifteen (15) miles from the steamboat landing on Shuswap River to Okanagan Lake, from which information an approximate estimate of the cost of the work could be framed.

I have the honor to be, Sir, your obedient servant,

JOSEPH TRUTCH.

Sir CHARLES TUPPER, K.C.M.G., Minister Railways and Canals.

OTTAWA, 13th April, 1881.

SIR,—I am directed to enclose herewith an extract, referring to the question of canal construction between Lakes Shuswap and Okanagan, in British Columbia, taken from a letter addressed, on the 9th ultimo, by Mr. F. J. Barnard to the Right Hon. Sir John A. Macdonald, and referred to this Department.

I have the honor to be, Sir, your obedient servant,

F. H. ENNIS, *Secretary*.

F. BRAUN, Esq., Secretary Railways and Canals.



Extract from a letter dated 9th March, 1881, addressed by Mr. F. J. Barnard, M.P., to the Right Hon. Sir John A. Macdonald and referred to the Department of Public Works:—

“In reference to the canal between Lake Shuswap and Lake Okanagan, I think the Government should know exactly how much the work would cost. The cost of the survey will be small. The locks need not be more than 150 feet long and 35 feet wide. The depth of canal not more than three feet six, or four feet.”

VICTORIA, B.C., 9th June, 1882.

SIR,—You requested me before leaving Ottawa to inform you of the best time for making a survey of the Spellumacheen-Okanagan Canal.

The water this year is unprecedentedly high, and I would suggest that some time between the 15th of July and 1st of August be selected as the most suitable time for commencing a survey of this work.

The proposed canal would only require to be 40 or 50 feet wide, and of four feet in depth.

The largest steamer plying between the lakes is the “Peerless,” 135 feet in length and 35 feet beam over all, drawing three feet loaded.

I have the honor to be, Sir, your obedient servant,

F. J. BARNARD.

Sir CHAS. TUPPER, K.C.M.G., Minister Railways and Canals.

OTTAWA, 28th June, 1882.

SIR,—I am directed to acknowledge the receipt of your letter of the 9th instant, referring to the best time for the prosecution of a survey for a canal to connect Lakes Shuswap and Okanagan, B.C.

I am, Sir, your obedient servant,

A. P. BRADLEY, *Secretary*.

F. J. BARNARD, Esq., M.P., Victoria, B.C.

OTTAWA, 8th July, 1882.

SIR,—In reply to your letter of the 9th ultimo, with respect to the proposed survey of a line to be adopted for the Spellumacheen-Okanagan Canal between Lakes Shuswap and Okanagan, I have to inform you that instructions have been issued from the office of the Chief Engineer relative to the survey in question.

I am, Sir, your obedient servant,

A. P. BRADLEY, *Secretary*.

F. J. BARNARD, Esq., M.P., Victoria, B.C.

VICTORIA, B.C., 16th January, 1883.

SIR,—I have the honor to forward to you herewith a copy of a report, and of the plan and profile therein referred to, received by me on the 6th instant from Mr. Hamlin, upon the survey recently carried out under his direction, pursuant to your instructions to me, of the country between the Spellumacheen River and Okanagan Lake, with a view to the construction of a canal to connect the Shuswap and Okanagan Lakes.

This survey has established that the construction of such a canal would be quite practicable, but that it would cost far more than has been estimated by those who have been urging that it should be undertaken, in the mistaken apprehension that it could be carried into execution with but little excavation, and only one lock at each end of the proposed canal.

My own opinion is, that the approximate estimate contained in Mr. Hamlin's report is altogether under the sum which this work must necessarily cost to render it of practicable value.

The total cost of the survey and attendant expenses up to this time has been \$1,109.19, exclusive of the salaries of the engineers engaged upon it, which have not been charged to this work.

I have the honor to be, Sir, your obedient servant,

JOSEPH W. TRUTCH.

SECTION 63, C. P. R., BRITISH COLUMBIA, 1st December, 1882.

SIR,—In compliance with instructions, dated 11th August last, I conducted an exploratory survey of the valley lying between the Spellumacheen River and Okanagan Lake, with a view of ascertaining the feasibility of constructing a canal to connect these waters.

Having completed the required survey and prepared a plan and profile, I have the honor to submit, in conjunction therewith, the following report:—

I established the initial point of the survey on the south bank of the Spellumacheen River, in the locality usually designated as Lambley's Landing. From thence a line is traversed through the valley in the direction of Okanagan Lake. This valley consists of meadow and marsh lands throughout, which are covered with luxuriant wild grasses, that yield a large quantity of hay, suitable for feeding cattle; some of the wetter lands produce tall flags and rushes. Numerous clumps of willows, thorn and cranberry bushes are interspersed. The edges of the valley are bordered with pine and cottonwood trees. In many places the marsh lands are very wet, being completely covered with water. In such cases, to expedite the work, it was necessary to run the line on the dry edge of the valley, and where it suited along the public highway, taking all necessary offsets in order to lay down an accurate plan.

Two streams intersect the valley, one flowing northerly, and emptying into the Spellumacheen River, the other flowing southerly, towards Okanagan Lake.

The stream flowing to the Spellumacheen River, for a distance of nearly three miles from the slough, has a width from 30 to 40 feet and a depth at the centre from two and a-half to three and a-half feet, with an almost imperceptible current; from thence to the summit level the width is from 18 to 25 feet, and the current becomes more rapid. The course of the stream is very tortuous throughout; two or three small creeks flow into it on the east side.

The watershed or summit level of the valley is encountered at the distance of eight and a quarter miles from the initial point of survey, and is distant nearly 11½ miles from Okanagan Lake.

The ascertained elevation is 128.17 feet above datum, that is, 31.44 feet above the surface level of the Spellumacheen River, and 51.76 feet above the surface level of Okanagan Lake, which results in the water of the latter being 20.32 feet lower than the water of the Spellumacheen.

The stream flowing to Okanagan Lake is designated Deep Creek. At the distance of four and a-half miles below the summit it enters a small sheet of water, known as Otter Lake (in the Indian language called Cheatutaeo). This lake is 7,200 feet in length, and has an average width of 1,500 feet, the depth varies from three to twenty-six feet, with a very soft muddy bottom, the general depth along the centre is sixteen feet. The elevation of the surface water 96.36, being nearly the same as the Spellumacheen River, and is 31.81 feet lower than the summit and 19.95 feet higher than Okanagan Lake; several small streams flow into it on the east side. The width of the stream passing out of the lake, for a distance of 700 feet varies from 40 to 100 feet; the current is scarcely perceptible and the surface is thickly covered with weeds. The depth of water is from two and a half to three feet, with a soft muddy bottom. The current continues very slow until it reaches O'Keefe's mill, two miles from Okanagan Lake. From Otter Lake to this point it falls 4.83 feet; from thence to Okanagan Lake the current is much more rapid for some distance, and the fall is 15.12 feet. The course of this stream is also very crooked, and it has several small tributaries on the east side. For further particulars in reference to distances and heights it is desirable to refer to the plan and profile.



As the two streams, with their tributaries already described, will be the chief sources of water supply for the proposed canal, it will be in place to make some special statements in reference thereto.

The stream running towards the Spellumacheen River has a general width of 25 feet, an average depth of 3 feet, and an average area=50 feet. The current is generally very sluggish, never exceeding  $1\frac{1}{4}$  miles per hour, the bottom is soft mud throughout, which varies in depth from one to three feet. Below this the soundings indicate a stratum of firm clay. Several beaver dams occur, especially near the summit level, which rendered it rather difficult to ascertain the true water level. This stream empties into a slough of the Spellumacheen River, which will be better understood by an examination of the plan.

Deep Creek, the stream flowing towards Okanagan Lake, from the summit to Otter Lake, has a general width of 10 feet, an average depth of  $2\frac{1}{2}$  feet, and an average area=19 feet. The current is very irregular, averaging about  $1\frac{1}{4}$  miles per hour. The bottom is soft mud which varies in depth from two to four feet, below this the stratum is firm clay. From Otter Lake to O'Keefe's mill the general width is 15 feet, average depth 3 feet, and has an average area=36 feet. The current is very slow not exceeding an average of one mile per hour. For a distance of two miles below Otter Lake the bottom of the stream is soft mud, from two to three feet in depth, from thence to the mill it is generally firm clay. From the mill to the lake the stream has a general width of 12 feet, an average depth of  $2\frac{1}{2}$  feet, and average area=24 feet. The current is more rapid, averaging about  $2\frac{1}{4}$  miles per hour. The bottom is generally firm clay, in some places sandy and gravelly. The character of the valley changes; it becomes drier and more controlled varying in breadth from 50 to 300 feet.

Okanagan Lake, the terminal point of the survey, is a magnificent sheet of water, the shore is level and sandy, the water very clear, with a hard, sandy bottom; rushes grow thickly in the water for a distance of 200 feet from the edge. At the distance of 50 feet from the edge the water is three feet in depth; at 150 feet, four feet, gradually deepening outwards. The apparent high-water mark is two feet higher than the present level of the lake. The flats of the creek at the edge of the lake are covered with a very tall, coarse grass, some of it reaching the enormous height of twelve feet.

The ordinary rise of the Spellumacheen River is 9.3 feet above the surface level, as taken during the progress of the survey. Last spring the freshet was unusually high, showing a rise of 11.6 feet. It dams the water up the valley for nearly five miles. This may cause some difficulty in the construction of the proposed work. The high water of Okanagan Lake does not appear to exceed two feet rise; Otter Lake about the same, and through the marsh and meadow lands of the valley the water rises from two to three feet, consequently nearly the whole valley is submerged during the spring freshet. The past season was a remarkably dry one; therefore the waters were at a very low stage when the elevations were recorded.

The result of the soundings, such as I had appliances to make, show no indication of rock; the soil throughout is clay, and would be suitable for canal construction.

The total length of the line surveyed, from the initial point at Spellumacheen River to the terminal point on the shore of Okanagan Lake, is nearly  $19\frac{1}{4}$  miles. The length of a located line would be between 17 and 18 miles.

From the foregoing statements it may be deduced that the construction of a small canal is quite feasible, say of the following dimensions, viz.: 50 feet at surface level, and having a depth of five feet, which would be ample for the passage of the steamboats which now ply on the Thomson River and the intermediate lakes. Five or six locks will be actually necessary.

In connection with the proposed scheme, I beg to offer a few suggestions, as follows: The Spellumacheen River to be used as a feeder for the canal, as far as practicable, thereby economizing the other source of supply for the summit level and the reaches below it. The summit level to be reduced to the lowest possible elevation, and the several reaches to be as nearly equal in length as practicable, having a due regard to economy in construction. The drainage of the marsh lands to be effected

by the cutting of the canal, by which means an extensive area of land would be reclaimed, the soil of which would be rich and alluvial, especially adapted for the production of grass and hay.

The cost of the construction of the contemplated work depends in a great measure upon the plan which may be adopted. In estimating what such a work, of the dimensions stated, and on an economical basis, can be executed for, I have arrived approximately at the sum of \$27,000 per mile. This may be very much increased by the style of work which may be approved by the Government.

The importance of this canal scheme cannot be over-estimated. It would establish an unbroken navigable water stretch of over 240 miles, opening up a rich agricultural country, which is unsurpassed in British Columbia for its fertility, and which, in many sections, has a sufficient rainfall to enable farmers to produce crops without irrigation. The nucleus of a thriving settlement is already formed, most of the prairie land having been taken up and occupied; several fine farms are cultivated on a large scale, with all the modern appliances, particularly that of Mr. Lumby, which is equal to anything of the kind in the Dominion of Canada. The grain crops of this year were magnificent, both as regards yield and sample, the estimated average of grain to the acre reaching to the large amount of thirty-five bushels, and this I am informed is considerably below the usual average. Winter wheat has been tried and proved a great success. Messrs. O'Keefe and Grenow, who reside at Okanagan Lake, have a large stock of cattle. They harvest a large quantity of wild hay in the meadows and marshes of the valley, which answers for winter fodder.

The general character of the country is rolling and lightly timbered, with the exception of the prairies. The soil consists of rich clay.

Before closing this report it is well to state that at one or two points on the Spellumacheen River, between Shuswap Lake and Lambley's Landing, sand bars form, which render the navigation very uncertain and difficult at low water. These obstructions can be overcome at a very trifling outlay.

In conclusion, I beg to state that my instructions only called for an exploratory survey, and to take such cross-sections and soundings as were deemed necessary to arrive at an approximate estimate. Trusting that what has been done may prove useful and sufficient for the present purposes,

I have the honor to be, Sir, your obedient servant,

L. B. HAMLIN, *Engineer-in-Charge*.

Hon. Jos. W. TRUTCH, C.M.G., Dominion Agent, Victoria, B.C.

## PROVINCE OF QUEBEC—INCREASE OF SUBSIDY.

### RETURN

TO AN ADDRESS of the HOUSE OF COMMONS, dated 23rd April, 1883;—For a copy of any representation by either of the Houses of the Legislature of Quebec on the subject of an increase of the Provincial Subsidy.

By Command,

HECTOR L. LANGEVIN, *Acting Secretary of State*.

Department of the Secretary of State, 25th April, 1883.

ADDRESS from the Legislative Assembly of the Province of Quebec to His Excellency the Governor General of the Dominion of Canada, claiming a modification to the effect that the Subsidy to this Province be calculated according to each preceding Census.

TO His Excellency the Right Honorable Sir John Douglas Sutherland Campbell, (commonly called the Marquis of Lorne), Knight of the Most Ancient and Most Noble Order of the Thistle, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Governor General of Canada, and Vice-Admiral of the same.



## MAY IT PLEASE YOUR EXCELLENCY :

The loyal subjects of Her Majesty, in the Legislative Assembly of the Province of Quebec assembled, deem it their duty humbly to represent:—

That before Confederation the Provinces had the right to levy the moneys required for the public service by imposing Customs and Excise duties and by all other modes or systems of taxation;

That by the resolutions adopted by the delegates appointed to consider the scheme of uniting the Provinces under one Government and upon which the Union Act is founded, the power to levy Customs and Excise duties was taken from the Local and conferred upon the General Government;

That the 64th resolution, which granted the Provinces an annual subsidy of 80 cents per head of the population according to the Census of 1861, declared that such subsidy was granted in consideration of the transfer to the Federal Parliament of this power of taxation;

That Sir Alexander Galt, then Minister of Finance, when explaining, on behalf of the Government, the financial part of the Union Act, declared that these 80 cents per head were destined, with certain local revenues, to meet the expenses of the Local Governments, including especially the administration of justice and the support of hospitals and charitable institutions, and that in transferring all the large sources of revenue to the General Government it became evident that some portion of the resources so placed at its disposal had to be applied, in some form or other, to supply the hiatus that would otherwise take place between the sources of local revenue and the demands of local expenditure;

That although it is true that by the 64th resolution and by section 118 of the Union Act, it is declared that the Provinces should claim nothing more thereafter from the General Government, yet such declaration was made, first, because the subsidy was deemed sufficient to meet the expenditure, and also because it was hoped that this provision would oblige the Local Governments to control their expenses, as shown by the following remarks of the then Finance Minister:—"It is hoped that, being in itself fixed and permanent in its character, the Local Governments will see the importance—I may say the necessity—of exercising a vigilant and proper control over the expenditure;"

That, as a matter of fact, amongst the expenses specially imposed upon the Local Governments there are some which are not susceptible of control, and which necessarily increase in the same ratio as the population, such as the cost of the administration of justice and the maintenance of lunatic asylums.

That the administration of justice and the maintenance of lunatic asylums in the Province of Quebec, for the fiscal years 1868, 1871 and 1881, cost the following sums:

Years.	Justice.	Asylums.	Totals.
1868.....	\$322,236 24	\$97,946 53	\$420,182 77
1871.....	349,024 89	132,223 09	481,247 98
1881.....	437,490 56	213,828 20	651,318 76

Giving an increase in expenditure, in 1871, of \$61,065.21, and in 1881 of \$231,135.99.

That if the subsidy was calculated upon the basis of each census, the subsidy to the Province of Quebec, for the three decades of 1861, 1871 and 1881 would be as follows:—

Years.	Population.	Subsidy.
1861.....	1,111,566	\$889,252 80
1871.....	1,191,516	953,212 80
1881.....	1,359,027	1,087,221 60

Being an increase, for the decade of 1871, of \$63,900, and for that of 1881 of \$197,968.80.

That a comparison of such decennial increase of the subsidy with the increase in the expenditure for the maintenance of justice and the support of asylums shows how this expenditure has followed the movement of the population :

Years.	Increase in Subsidy.	Increase in Expenditure.
1871.....	\$ 63,960 00	\$ 61,065 21
1881.....	107,968 80	231,135 99

That the subsidy was specially given to meet, amongst other expenditures, those for administration of justice and the support of lunatic asylums, and the above figures establish that, in calculating this subsidy upon the basis of the census for 1861, the end in view was not attained, inasmuch as the expenditure in question increases almost in proportion to the population, and to meet it the subsidy should increase in the same ratio; and while the Government of this Province cannot, by any supervision control this expenditure, the Federal Government by its legislation respecting crimes and criminals, and the great public works it undertakes, contributes to increase it.

That in order to carry out the intention of the founders of the Confederation, it would consequently be necessary that the annual subsidy, instead of being limited according to the census of 1861, should be calculated for each decade, upon the basis of the last census.

That if the subsidy were so calculated there would not be an increase, but a decrease, in the share given to the Provinces out of the revenues transferred to the Federal Government.

That in 1868 the revenues arising from Customs and Excise duties amounted to \$11,580,968.25, giving \$3.75 per head of the population of the Dominion; in 1871 these revenues amounted to \$16,137,049.28, giving \$4.63 per head; and in 1881 they paid to the Provinces 80 cents per head. According to the census of 1881 it would only give 14½ per cent. of the receipts arising from these sources of revenue, whilst in 1868 it paid 21½ per cent., as appears by the following figures:—

Years.	Revenue.	Population.	Amount per Head.	Per- centage.
1868.	\$ cts.		\$ cts.	
Customs .....	8,578,380 09			
Excise .....	3,002,588 16			
	11,580,968 25	3,090,561	3 75	21½
1871.				
Customs .....	11,841,104 56			
Excise .....	4,295,944 72			
	16,137,049 28	3,485,761	4 63	17½
1881.				
Customs.....	18,406,092 13			
Excise .....	5,343,220 09			
	23,749,114 22	4,324,810	5 49	14½

That consequently the Legislative Assembly of Quebec begs to approach Your Excellency, and prays that you will be pleased to submit to Her Majesty's Privy Council for Canada the following humble petition, to wit: That the Hon. Privy Council will be pleased to recommend that the provisions of the British North America Act, 1867, be amended, so that the annual subsidy paid to this Province by the Dominion Government be calculated for each decade, according to the new Census.

L. O. TAILLON, *Speaker.*

QUEBEC, 29th March, 1883.



*Memorandum respecting the Claim of Quebec.*

The estimated ordinary receipts of the Province of Quebec amount to \$2,864,612, and the receipts from the Quebec fire loan, reimbursement of loans to the Beauport and Longue Pointe asylums, and the Municipal loan fund, being extraordinary receipts, are estimated for next year at \$90,000, making together \$2,954,612.

The ordinary expenditure, including the cost of criminal justice, amounts to \$2,951,127.

This gives a small surplus of \$3,485 for the ensuing fiscal year, but if the extraordinary receipts, amounting, as above mentioned, to \$90,000, are not taken into account, there is a deficit of \$86,515.

No economy can be effected in the expenditure for the public debt. It would be impolitic to retrench on the expenditure for public instruction, arts and manufactures, agriculture and colonization. Some reduction in the expenditure can be effected for legislation, civil government, literary, scientific and benevolent institutions, and charges on revenue; but, on the other hand, the expenditure for the administration of justice, reformatory institutions and lunatic asylums, will gradually increase from year to year.

As the companies now constructing railways become entitled to their subsidies, new issues of debentures will have to be made, which will increase the charge for interest. Within the next five or six years the charge for interest will be thus increased by at least \$75,000 a year.

It is true that the receipts from municipal contributions towards the support of lunatic asylums and prisoners will gradually increase; but such increase in the revenue will not keep pace with the increase in the expenditure.

The Treasurer expects that the receipts, ordinary and extraordinary, will more than balance the expenditure for the next fiscal year; but the ordinary revenue is actually insufficient to meet the wants of the Provincial Government.

It therefore becomes necessary to increase the revenue of the Province.

When the Confederation of the Provinces was established the right to levy Customs and Excise duties was transferred to the Dominion Government, but at the same time a certain proportion of these duties were allowed to the Provinces to enable them to meet the expenses of Local Government, and particularly the cost of the administration of justice and the maintenance of asylums and hospitals. This proportion was 80 cents per head of the population, being, in 1868, 21½ per cent. of the receipts from those sources.

In the Province of Quebec justice and asylums cost, in 1868, \$420,182; in 1871, \$481,247; and in 1881, \$651,318, being an increase, in 1871, of \$61,065, and in 1881 of \$231,136.

In the Province of Ontario the expenditure for the administration of justice was \$182,621 in 1871, and \$251,119 in 1881; and the expenditure for the maintenance of public institutions, including asylums for lunatics and for the deaf and dumb, and reformatory institutions, was \$171,423 in 1871, and \$551,663 in 1881.

The fact is, that the expenditure under these two heads is uncontrollable, and follows closely the increase of the population.

The British North America Act declares that the subsidy of 80 cents per head, payable to Ontario and Quebec, is to be calculated according to the census of 1861; but it stipulates that the subsidy of Nova Scotia and New Brunswick shall be calculated according to each subsequent decennial census, until the population of each of these two Provinces shall have attained 400,000 souls.

The subsidy payable to Manitoba, Prince Edward Island and British Columbia, is also calculated on each subsequent decennial census until their population, respectively, shall have attained 400,000 souls.

As the expenditure of the Provinces of Quebec and Ontario for justice and asylums increases with the population the subsidy of 80 cents per head should be calculated, as in the case of the other Provinces, according to each subsequent decennial census.

If this were done the increase in the case of the Province of Quebec would be \$63,960 for the decade commencing in 1881. The increase in each case follows approximately the increased expenditure for justice and asylums.

The percentage of the subsidy for all the Provinces, if calculated on the basis of the last census, would be  $14\frac{1}{2}$  per cent. of the revenue derived from Customs and Excise, being 7 per cent. less than the percentage of 1868.

The Province of Quebec has expended, since Confederation, the sum of \$14,945,271.92 for railways. Its funded debt has been created solely to meet this expenditure; and \$1,725,751.45 of the loan recently authorized is to provide for the payment of subsidies to railways now in course of construction.

The interest for the next fiscal year on the funded debt amounts to \$820,312.50, from which, however, is to be deducted the sum of \$380,000, representing the interest on the price of the sale of the Government railway, leaving a balance of \$440,312.50.

When, in a short time, all the subsidies have been earned, the annual charge on the Provincial Budget for interest on the funded debt will amount to over \$500,000.

It will be observed from the foregoing statement that the financial difficulties of Quebec will result largely from the determination of that Province to aid in the development of enterprises, not only of a local character, but of others of a nature calculated to increase the importance and utility of some of our national undertakings. Another large source of annual expenditure arises from the administration of criminal justice. The legislation regarding this subject is determined by the Parliament of Canada, and it does seem but fair and right that some measure of relief should be afforded to the Province in the payment of these expenses.

In the Budget of the fiscal year commencing the 1st of July next the following sums are included for services connected with the administration of criminal justice, viz. :—

1st. Salaries and offices of the judges of the Sessions of the Peace and Police Magistrates at Quebec and Montreal.....	\$16,200
2nd. Reformatory prisoners at Montreal and Sherbrooke.....	47,500
3rd. Reformatory and industrial schools.....	18,000
4th. Crown prosecutors.....	10,000
5th. Payments through Sheriffs for cost of criminal justice.....	175,000
6th. Coroners.....	9,100
7th. District Magistrates.....	12,600
	<hr/>
	<u>\$288,400</u>

While acknowledging that the great expenditure made by the Dominion for railways has contributed largely to the advancement and prosperity of the whole country, nevertheless I feel constrained to assert that the Province of Quebec has derived less material advantages from the expenditure than any of the other Provinces.

I feel less hesitation and more assurance in urging upon your attention the claims of the Province of Quebec from the fact that our Province has, from the early days of Confederation, and invariably when the occasion required it, supported the Federal authorities in whatever concession it was deemed desirable to make to satisfy the other Provinces of the Confederation, and thus, while maintaining the local institutions of each Province, to ensure, for all time to come, on a sure and certain basis, the preservation of the federal principle. The people of Quebec, by their representatives in Parliament, cordially and heartily gave their assent and united support to the propositions which were made to enable several of the Provinces to maintain their respective Local Governments; and the press of Quebec, reflecting public opinion there, endorsed the action so taken.

The time has now arrived in Quebec's history when an appeal for aid, in such form as the Federal Executive may, in its wisdom, determine, has to be made; and I doubt not that the representatives of the other Provinces in the Federal Council will



lend a willing ear to the appeal now being made on behalf of the Province of Quebec for the maintenance of her local institutions.

Quebec, 24th April, 1883.

J. A. MOUSSEAU.

STATEMENT showing the estimated cost of Criminal Justice for the Fiscal Year 1883-84, and the Amount of Expenditure for same for Fiscal Year 1881-82.

	Estimates for 1883-84.	Expenditure for 1881-82.
	\$ cts.	\$ cts.
Salaries of Police Magistrates, Montreal and Quebec.....	7,200 00	7,200 00
Reformatories .....	47,500 00	44,047 03
Reformatory schools.....	6,500 00	5,611 51
Crown prosecutors.....	10,000 00	7,925 50
Coroners.....	9,100 00	7,222 83
Sheriff's contingencies, viz. :—		
Maintenance of prisoners .....	\$31,434 20	
Arrests and conveyances of prisoners .....	18,354 60	
Summoning of jurors .....	3,751 53	
Board of jurors .....	1,616 95	
Constables during criminal terms.....	669 50	
Interpreters before Grand Jury and Court of Queen's Bench	1,458 24	
Payment of witnesses.....	10,305 00	
District Magistrates .....	67,590 02	67,590 02
	12,600 00	9,821 11
	160,490 02	149,418 00

Certified correct.

N. ARTHUR GIARD,

*Assistant Auditor, Province Quebec.*

Whereas, before Confederation, the Provinces had the right to levy the moneys required for the public service, by imposing Customs and Excise duties, and by all other modes or systems of taxation ;

Whereas, by the resolutions adopted by the delegates appointed to consider the scheme of uniting the Provinces under one Government, and upon which the Union Act is founded, the power to levy Customs and Excise duties was taken from the Local and conferred upon the General Government ;

Whereas, the 64th resolution, which granted the Provinces an annual subsidy of 80 cents per head of the population, according to the census of 1861, declared that such subsidy was granted in consideration of the transfer to the Federal Parliament of this power of taxation ;

Whereas, Sir Alexander Galt, then Minister of Finance, when explaining, on behalf of the Government, the financial part of the Union Act, declared that these 80 cents per head were destined, with certain local revenues, to meet the expenses of the Local Governments, including, especially, the administration of justice and the support of hospitals and charitable institutions ; and that, in transferring all the large sources of revenue to the General Government, it became evident that some portion of the resources so placed at its disposal had to be applied, in some form or other, to supply the hiatus that would otherwise take place between the sources of local revenue and the demands of local expenditure ;

Whereas, although it is true that by the 64th resolution, and by section 118 of the Union Act, it is declared that the Provinces should claim nothing more thereafter from the General Government ; yet such declaration was made, first, because the subsidy was deemed sufficient to meet the expenditure, and also because it was hoped that this provision would oblige the Local Governments to control their expenses, as shown by the following remark of the then Minister of Finance : " It is

hoped that being, in itself, fixed and permanent in its character, the Local Governments will see the importance—I may say the necessity—of exercising a vigilant and proper control over the expenditure ;”

Whereas, as a matter of fact, amongst the expenses specially imposed upon the Local Governments there are some which are not susceptible of control, and which necessarily increase in the same ratio as the population, such as the cost of the administration of justice and the maintenance of lunatic asylums ;

That the administration of justice and the maintenance of lunatic asylums in the Province of Quebec, for the fiscal years 1868, 1871 and 1881, cost the following sums :—

Years.	Justice.	Asylums.	Totals.
1868.....	\$322,236 24	\$ 97,946 53	\$420,182 77
1871.....	349,024 89	132,223 09	481,247 98
1881.....	437,490 56	213,828 20	651,318 76

Giving an increase in expenditure, in 1871, of \$61,065.21, and in 1881 of \$231,135.99 ;

Whereas, if the subsidy were calculated upon the basis of each census, the subsidy to the Province of Quebec, for the three decades of 1861, 1871 and 1881, would be as follows :—

Years.	Population.	Subsidy.
1861.....	1,111,566	\$ 889,252 80
1871.....	1,191,516	953,212 80
1881.....	1,359,027	1,087,224 60

Being an increase for the decade of 1871 of \$63,960, and for that of 1881 of \$197,968.80.

Whereas, a comparison of such decennial increase of the subsidy with the increase in the expenditure for the maintenance of justice and the support of asylums, shows how this expenditure has followed the movement of the population :

Years.	Increase of Subsidy.	Increase of Expenditure.
1871.....	\$63,960 00	\$ 61,065 21
1881.....	197,968 80	231,135 99

Whereas, the subsidy was specially given to meet, amongst other expenditures, those for the administration of justice and the support of lunatic asylums, and whereas the above figures establish that in calculating this subsidy upon the basis of the census for 1861 the end in view was not attained, inasmuch as the expenditure in question increases almost in proportion to the population, and to meet it the subsidy should increase in the same ratio ; and while the Government of this Province cannot, by any supervision, control this expenditure, the Federal Government, by its legislation respecting crimes and criminals, and the great public works it undertakes, contributes to increase it ;

Whereas, in order to carry out the intention of the founders of the Confederation, it would consequently be necessary that the annual subsidy, instead of being limited according to the census of 1861, should be calculated for each decade upon the basis of the last census ;

Whereas, if the subsidy were so calculated, there would not be an increase, but a decrease in the share given to the Provinces out of the revenues transferred to the Federal Government ;

Whereas, in 1868, the revenue arising from Customs and Excise duties amounted to \$11,580,968.25, giving \$3.75 per head of the population of the Dominion ; in 1871 these revenues amounted to \$16,137,049.28, giving \$4.63 per head ; and 1881 they reached \$23,749,114.22, giving \$5.49 per head ; therefore, if the Federal Government paid to the Provinces 80 cents per head, according to the census of 1881, it would only give 14½ per cent. of the receipts arising from these sources of revenue, whilst, in 1868, it paid 21½ per cent., as appears by the following figures :—



Years. 1868	Revenues.	Population.	Amount per head.	Percent- age.
Customs.....	\$ 8,578,380 09			
Excise.....	3,002,588 16			
	<u>\$11,580,968 25</u>	<u>3,090,561</u>	<u>\$3 75</u>	<u>21½</u>
1871				
Customs.....	\$11,841,104 56			
Excise.....	4,295,944 72			
	<u>\$16,137,049 28</u>	<u>3,485,761</u>	<u>\$4 63</u>	<u>17½</u>
1881				
Customs.....	\$18,406,092 13			
Excise.....	5,343,022 09			
	<u>\$23,749,114 22</u>	<u>4,324,810</u>	<u>\$5 49</u>	<u>14½</u>

Resolved, That for all the foregoing reasons, this House is of opinion that the annual subsidy from the Dominion Government to this Province is, in all fairness, and in conformity with the spirit of the agreements on which Confederation was based, entitled to press this demand.

The said resolutions being read a second time, were agreed to.

On motion of the Hon. Mr. Treasurer Wurtele, seconded by the Hon. Mr. Mousseau,

Resolved, That an humble Address be presented to His Excellency the Governor General of the Dominion of Canada, based upon the Resolutions which have just been adopted, claiming a modification, so that the subsidy of this Province may be calculated according to each preceding census, and that such Address be as followeth:—

To His Excellency the Right Honorable Sir John Douglas Sutherland Campbell (commonly called the Marquis of Lorne), Knight of the Most Ancient and Most Noble Order of the Thistle, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Governor General of Canada, and Vice Admiral of the same.

MAY IT PLEASE YOUR EXCELLENCY :

The loyal subjects of Her Majesty in the Legislative Assembly of the Province of Quebec assembled, deem it their duty humbly to represent:—

That before Confederation the Provinces had the right to levy the moneys required for the public service, by imposing Customs and Excise duties, and by all other modes or systems of taxation;

That by the resolutions adopted by the delegates appointed to consider the scheme of uniting the Provinces under one government, and upon which the Union Act is found, the power to levy Customs and Excise duties was taken from the Local and conferred upon the general Government;

That the 64th resolution, which granted the Provinces an annual subsidy of 80 cents per head of the population according to the census of 1861, declared that such subsidy was granted in consideration of the transfer to the Federal Parliament of this power of taxation;

That Sir Alexander Galt, then Minister of Finance, when explaining, on behalf of the Government, the financial part of the Union Act, declared that these 80 cents per head were destined, with certain local revenues, to meet the expenses of the Local Governments, including especially the administration of justice and the support of hospitals and charitable institutions; and that in transferring all the large sources of revenue to the General Government it became evident that some portion of the resources so placed at its disposal had to be applied, in some form or other, to supply the hiatus that would otherwise take place between the sources of local revenue and the demands of local expenditure;

That although it is true that by the 64th resolution and by section 118 of the Union Act it is declared that the Provinces should claim nothing more thereafter from the general Government, yet such declaration was made, first, because the subsidy was deemed sufficient to meet the expenditure, and, also, because it was hoped that this provision would oblige the Local Governments to control their expenses, as shown by the following remark of the then Minister of Finance: "It is hoped that being, in itself, fixed and permanent in its character, the Local Governments will see the importance—I may say the necessity—of exercising a vigilant and proper control over the expenditure;"

That, as a matter of fact, amongst the expenses specially imposed upon the Local Governments, there are some which are not susceptible of control, and which necessarily increase in the same ratio as the population, such as the cost of the administration of justice and the maintenance of lunatic asylums;

That the administration of justice and the maintenance of lunatic asylums in the Province of Quebec, for the fiscal years 1868, 1871 and 1881, cost the following sums:—

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Years.	Population.	Subsidy.
1861 .....	1,111,566	\$ 889,252 80
1871 .....	1,191,516	953,212 80
1881 .....	1,359,027	1,087,221 60

Being an increase for the decade of 1871, of \$63,960, and for that of 1881 of \$197,968.80;

That a comparison of such decennial increase of the subsidy with the increase in the expenditure for the maintenance of justice and the support of asylums shows how this expenditure has followed the movement of the population:—

Years.	Increase in Subsidy.	Increase in Expenditure.
1871 .....	\$ 63,960 00	\$ 61,065 21
1881 .....	197,968 80	231,135 99

That the subsidy was specially given to meet, amongst other expenditures, those for the administration of justice and the support of lunatic asylums; and whereas the above figures establish that in calculating this subsidy upon the basis of the census for 1861 the end in view was not attained, inasmuch as the expenditure in question increases almost in proportion to the population, and to meet it the subsidy should increase in the same ratio; and while the Government of this Province cannot, by any supervision, control this expenditure, the Federal Government, by its legislation respecting crimes and criminals, and the great public works it undertakes, contributes to increase it;

That in order to carry out the intention of the founders of the Confederation, it would consequently be necessary that the annual subsidy, instead of being limited according to the census of 1861, should be calculated for each decade upon the basis of the last census.

That if the subsidy were so calculated there would not be an increase, but a decrease, in the share given to the Province out of the revenues transferred to the Federal Government.



That in 1868 the revenues arising from Customs and Excise duties amounted to \$11,580,968.25, giving \$3.75 per head of the population of the Dominion; in 1871 these revenues amounted to \$16,437,049.28, giving \$4.63 per head; and in 1881 they reached \$23,749,114.22, giving \$5.49 per head; therefore, if the Federal Government paid to the Provinces 80 cents per head, according to the census of 1881, it would only give 14½ per cent. of the receipts arising from these sources of revenue, whilst in 1868 it paid 21½ per cent., as appears by the following figures:—

Years 1868.	Revenue.	Population.	Amount per head.	Percent- age.
Customs .....	\$3,578,380 09			
Excise.....	3,002,588 16			
	<u>\$11,580,968 25</u>	<u>3,090,561</u>	<u>\$3 75</u>	<u>21½</u>
1871.				
Customs .....	\$11,841,104 56			
Excise.....	4,295,944 72			
	<u>\$16,137,049 28</u>	<u>3,485,761</u>	<u>\$4 63</u>	<u>12½</u>
1881.				
Customs .....	\$18,406,092 13			
Excise .....	5,343,022 09			
	<u>\$23,749,114 22</u>	<u>4,324,810</u>	<u>\$5 49</u>	<u>14½</u>

That consequently the Legislative Assembly of Quebec begs to approach Your Excellency, and prays that you will be pleased to submit to Her Majesty's Privy Council for Canada the following humble petition, to wit: That the Hon. Privy Council will be pleased to recommend that the provisions of the British North America Act, 1867, be amended, so that the annual subsidy paid to this Province by the Dominion Government be calculated for each decade according to the new census.

And the Question being put, That the said Address be now read a second time; the House divided: and it was resolved in the Affirmative.

The said Address was accordingly read a second time, and agreed to.

Ordered, That the said Address be engrossed.

The Hon. Mr. Treasurer Wurtele moved, seconded by the Hon. Mr. Mousseau, and the Question being put, That an humble Address be presented to His Honor the Lieutenant-Governor, informing His Honor that this House has voted an humble Address to His Excellency the Governor General, respecting the request of the Legislative Assembly to the effect that the annual subsidy paid to this Province by the Federal Government be calculated according to the new census, and praying His Honor to be pleased to forward the above mentioned Address to His Excellency the Governor General;

The House divided: and it was resolved in the Affirmative.

And the Question being put,

That the said Address be presented to His Honor the Lieutenant-Governor, by such members of this House as are of the Hon. the Executive Council of this Province;

The House divided: and it was resolved in the Affirmative.

# RETURN

(34a)

To AN ADDRESS of the HOUSE OF COMMONS, dated the 5th February, 1885, to His Excellency the Governor General;—Praying that he will cause to be laid before the House any correspondence or papers touching applications by Local Governments for advances of money on debt account, and for any papers throwing light on the reasons for the pending Bill on that subject.

By Command,

J. A. CHAPLEAU

Secretary of State.

Department of the Secretary of State,  
Ottawa, 25th February, 1885.

STATEMENT showing amounts advanced out of Debt Account to the Province of Nova Scotia under Act 37 Vic., cap. 17, sec. 2.

Date.	Particulars.	Amount.	Total.
		\$ cts.	\$ cts.
1874	Paid Provincial Secretary on account of—		
July 22...	Railway extension from Annapolis to Yarmouth.....	40,000 00	
Aug. 15...	Western Counties Railway .....	45,000 00	
Sept. 30...	do do .....	25,000 00	
Nov. 8...	do do .....	30,000 00	
Dec. 31...	do do .....	24,000 00	
1875.			
Jan. 15...	do do .....	20,000 00	
Mch. 15...	do do .....	30,000 00	214,000 00
July 10...	do do .....	22,752 50	
Aug. 14...	do do .....	16,000 00	
Sept. 6...	Spring Hill and Parrsboro' Railway .....	23,650 00	
do 11...	Western Counties Railway .....	11,762 00	
Oct. 6...	Spring Hill and Parrsboro' Railway .....	43,118 00	
do 12...	Western Counties Railway .....	28,790 50	
Nov. 20...	do do .....	20,000 00	
Dec. 13...	Spring Hill and Parrsboro' Railway .....	17,387 00	
1876.			
Jan. 26...	Western Counties Railway .....	30,000 00	
Feb. 16...	do do .....	23,400 00	
Mch. 9...	Spring Hill and Parrsboro' Railway .....	10,100 00	
do 18...	Western Counties Railway .....	36,550 00	
April 15...	do do .....	20,076 00	
May 10...	do do .....	45,550 00	
June 6...	do do .....	26,053 00	
do 27...	do do .....	9,000 00	384,189 00
July 28...	do do .....	9,154 00	
Aug. 2...	do do .....	13,500 00	
do 11...	do do .....	10,080 00	
do 28...	do do .....	13,938 00	
Sept. 26...	do do .....	17,000 00	
Oct. 9...	do do .....	7,022 00	
do 19...	do do .....	16,485 00	
Nov. 30...	do do .....	25,438 00	
	Carried forward.....	111,617 00	598,189 00



STATEMENT showing amounts advanced out of Debt Account to the Province of Nova Scotia under Act 37 Vic., cap. 17, sec. 2—*Concluded.*

Date.	Particulars.	Amount.	Total.
		\$ cts.	\$ cts.
	Brought forward.....	111,617 00	598,189 00
1876.	Paid Provincial Secretary on account of—		
Dec. 5...	Eastern Extension Railway .....	6,790 64	
do 5...	Spring Hill and Parrsboro' Railway.....	2,349 50	
do 5...	Western Counties Railway .....	5,168 79	
do 5...	Middleton and Atlantic Railway .....	1,192 56	
do 26...	Western Counties Railway .....	43,513 00	
1877.			
Jan. 24...	Spring Hill and Parrsboro' Railway .....	13,977 00	
do 29...	Western Counties Railway .....	35,287 00	
Feb. 6...	Spring Hill and Parrsboro' Railway .....	11,768 00	
Mch. 21...	Eastern Extension Railway .....	13,646 00	
April 14...	do do .....	20,000 00	
do 28...	do do .....	15,000 00	
May 22...	do do .....	10,000 00	
June 20...	do do .....	12,000 00	
			302,309 49
Feb. 14...	do do .....	65,000 00	
Aug. 14...	do do .....	65,378 00	
Sept. 15...	do do .....	34,163 00	
do 22...	Western Counties Railway .....	2,727 05	
do 22...	Eastern Extension Railway .....	5,493 44	
Oct. 19...	do do .....	50,000 00	
do 23...	do do .....	10,000 00	
Dec. 24...	do do .....	10,000 00	
do 24...	Nictaux and Atlantic Railway .....	11,174 40	
1878.			
Jan. 2...	Nictaux and Atlantic Railway .....	14,210 00	
do 2...	Eastern Extension Railway .....	5,000 00	
do 10...	Nictaux and Atlantic Railway .....	14,615 60	
Feb. 12...	Eastern Extension Railway .....	5,000 00	
Mch. 7...	do do .....	8,000 00	
do 2...	Nictaux and Atlantic Railway .....	20,000 00	
do 28...	Eastern Extension Railway .....	7,000 00	
April 8...	Nictaux and Atlantic Railway .....	20,000 00	
			347,761 49
July 4...	do do .....	8,000 00	
do 4...	Eastern Extension Railway .....	23,215 35	
do 4...	Cape Breton Roads .....	27,000 00	
do 4...	Light-House and Railway Stores .....	58,964 38	
Sept. 7...	Eastern Extension Railway .....	95,450 00	
Aug. 10...	Nictaux and Atlantic Railway .....	8,000 00	
do 11...	do do .....	7,000 00	
Sept. 30...	Eastern Extension and Nictaux Railway .....	3,522 81	
do 30...	Spring Hill and Parrsboro' Railway .....	5,000 00	
Oct. 4...	Racquet Bridge, Western Counties Railway .....	16,000 00	
Nov. 26...	Eastern Extension and Nictaux Railway .....	50,000 00	
1879.			
Jan. 7...	Engineers' Expenses, Railway .....	2,556 51	
Feb. 15...	Eastern Extension Railway .....	140,000 00	
June 30...	do do and Nictaux .....	200,000 00	
			644,709 05
Aug. 30...	On account of Railways .....	17,843 57	
1880.			
Jan. 30...	do do .....	3,573 98	
do 30...	do do .....		21,417 55
1881.			
Dec. 13...	do do .....		13,652 93
			10,850 66
	Total.....		1,938,890 17

The above advances were made under Orders in Council founded upon minutes of the Executive Council of Nova Scotia applying therefor.

PROVINCIAL SECRETARY, HALIFAX, N.S., December 18th, 1881.

SIR,—I beg respectfully on behalf of the Government of Nova Scotia to request that a sum of money advanced by the Dominion to the Province from the debt account under the provisions of chapter 17 of the Acts of 1874 for the purpose of aiding in certain local improvements may be returned to the debt account in accordance with the provisions of that chapter.

The circumstances under which this sum was advanced I beg briefly to state as follows:—In 1874 the Province of Nova Scotia had at its credit in the debt account an amount somewhat exceeding \$2,000,000. With a view of aiding certain railways projected for local improvements, the Province voted certain subsidies for these railways, which subsidies, together with additional ones voted for the same purpose for other railways on various subsequent occasions, were advanced by the Dominion from the debt account.

The subsidies so appropriated amounted in the aggregate to a sum nearly equal to that at the credit of the Province. By these means the commencement of several provincial railways was effected through the agency of companies, who undertook their construction and working, but these means did not secure their completion. To effect this object, the Province entered into new arrangements by which all the several local railways have been consolidated under the management of one company, and also providing for the construction of several new lines. These arrangements have released the moneys advanced from the debt account of the Province, and it is now desired that they be returned to the debt account from which they were originally advanced, so that they shall stand in the same position as they did before being drawn.

I have, etc.,

S. H. HOLMES, *Provincial Secretary.*

Hon. Sir S. L. TILLEY, C.B., K.C.M.G.

FINANCE DEPARTMENT, OTTAWA, 23rd December, 1881.

SIR,—I have the honor to enclose to you by direction of the Honorable the Minister of Finance an application from the Honorable the Provincial Secretary of Nova Scotia, to be allowed to deposit funds with the Government, under 37 Victoria, chapter 17, and I am to ask you whether under that Act it is within the power of the Government of Canada to enter into such an arrangement as is proposed?

Yours very truly,

J. M. COURTNEY, *Deputy Minister of Finance.*

Z. A. LASH, Esq., Q.C.

DEPARTMENT OF JUSTICE, OTTAWA, 28th December, 1881.

SIR,—In reply to your letter of the 23rd instant, enclosing an application from the Provincial Secretary of Nova Scotia to be allowed to repay the advance made to the Government of that Province, under the Act 37 Victoria, chapter 17, section 2, I have the honor to say that there can be no doubt that the Government may receive back moneys advanced by the Statute. The only question to be determined will be the conditions upon which the money is to be received, the principal one would be the rate of interest which should be allowed.

I have, etc.,

Z. A. LASH, *Deputy Minister of Justice.*

J. M. COURTNEY, *Deputy Minister of Finance.*

*COPY of a Report of a Committee of the Honorable the Privy Council, approved by His Excellency the Administrator of the Government in Council on the 4th January, 1882.*

On a report dated 30th December, 1881, from the Minister of Finance, submitting an application from the Provincial Secretary of Nova Scotia to repay to the Province Debt Account under Act 37 Vic., cap. 17, sec. 2, the amount drawn by that Province,



with a view of aiding certain railways for local improvements, and which aggregate about \$2,000,000 or thereabouts, the Provincial Secretary states in his application that the several local railways have been consolidated under the management of one company, who, in addition to the repayment of the above sum, undertake the construction of several new lines;

The application was referred to the Department of Justice to advise as to its legality, and the Minister of that Department states that there can be no doubt that the Government may receive back advances, as provided by the Statute, the only question to be determined being the conditions upon which the money is to be received. The principal one seems to be the rate of interest to be allowed.

The Minister further reports that under the British North America Act the rate of interest allowed to the Provinces on their debt account was 5 per cent., although at the time of Confederation, and for some years after, the rates ruled higher.

Taking this fact into consideration, and finding that by taking the money the condition of the Province will be greatly relieved, the Minister recommends that the application of the Provincial Secretary be accepted, and that the moneys be repaid to the credit of the debt account, as if they had not been withdrawn, the rate of interest on the account to be the same as is paid to the other Provinces on their balances, viz., five (5) per cent.

The Committee submit the above recommendation for Your Excellency's approval.

(Certified) J. O. COTE, *Clerk Privy Council.*

HALIFAX, N.S., 19th May, 1884.

SIR,—According to agreement with Messrs. Baring Brothers & Co., of London, the Government of Nova Scotia are bound by an Act of the Legislature of last Session to return the deposit of \$253,066.67 made with the Government in December, 1881.

I am instructed to enquire whether it will be convenient for the Dominion Government to place the money in London to the credit of Messrs. Baring Bros. & Co. If so please reply at an early date, when a statement of the amount with interest will be forwarded you for that purpose.

The Government of Nova Scotia are desirous of returning this money as soon as possible.

I have, etc.,

C. F. CHURCH, *Prov. Secretary.*

Hon. SIR LEONARD TILLEY, Minister of Finance, Ottawa.

OTTAWA, 28th May, 1884.

SIR,—Your letter to Hon. Sir Leonard Tilley of the 19th inst. has been handed to me. I am prepared to make the payment to Messrs. Baring Bros. & Co., of the sum mentioned as soon as the proper application is made. I would suggest that in making the application you send me a certified copy of the Act of the Legislature referred to. I would also call your attention to the provisions of the second section of Act of the Parliament of Canada 37th Vic., chap. 17.

Yours truly,

J. M. COURTNEY, *Deputy Minister of Finance.*

Hon. C. F. CHURCH, *Prov. Secretary of N. S., Halifax, N.S.*

HALIFAX, 20th June, 1884.

SIR,—Referring to my letter of the 19th ultimo, addressed Honorable Sir Leonard Tilley, Finance Minister, and to your reply thereto of the 28th ultimo, I am now instructed to forward to you a certified copy of the Act referred to in said letter. I also enclose a certified copy of a Minute of Council making application to the Dominion Government relative to the payment of £56,917 18s. 4d. sterling to

Baring Brothers & Co., of London, England, which I hope may prove satisfactory.  
You will also please find enclosed a statement of account of Baring Bros. & Co. with the Government of Nova Scotia showing the amount due said firm to 1st July.  
Please advise me on receipt of this letter if payment can be made as requested.

I am, etc.,  
C. F. CHURCH, *Provincial Secretary.*

J. M. COURTNEY, Esq., Deputy Minister of Finance, Ottawa.

COPY of a Minute of Council passed at Halifax on the 19th day of June, A.D. 1884, and approved by His Honor the Lieutenant-Governor.

That application be made to the Government of Canada to pay to the firm of Messrs. Baring Brothers & Co., of London, Eng., Bankers, on the first day of July, A.D. 1884, the sum of £56,917 18s. 4d. sterling, equal to, in Dominion currency, at par, \$277,000.52, being the amount in full due said firm on said date, under and by virtue of an Act of the Legislature of Nova Scotia passed on the 19th of April, 1884, intituled: "An Act to authorize the payment of certain moneys to Baring Brothers and Company."

That the said Government of Canada be requested to appropriate to said payment the amount which will remain to the credit of the debt account of Nova Scotia on the said first day of July, and to make the balance of said payment to said firm out of the subsidy due Nova Scotia on said first day of July, 1884.

I certify the foregoing to be a true and correct copy of a Minute of Council, passed and approved as aforesaid.

C. F. CHURCH, *Clerk of Council.*

AN ACT TO AUTHORIZE THE PAYMENT OF CERTAIN MONEYS TO  
BARING BROTHERS AND COMPANY.

Be it enacted by the Governor, Council and Assembly as follows:—  
The Governor in Council is hereby authorized to pay to Baring Brothers and Company, London, the sum of fifty-two thousand pounds sterling, received from them by the Provincial Secretary of Nova Scotia on the twenty-sixth day of November, A. D. 1881, together with interest thereon as follows:

Interest at the rate of three per centum per annum from the said twenty-sixth day of November, A.D. 1881, to the twenty-sixth day of September, A.D. 1883, and interest at the rate of five per centum per annum from the 26th day of September, A.D. 1883, to the time at which such payment shall be made.

I, Henry C. D. Turning, Clerk of the House of Assembly of Nova Scotia, do certify the within to be the true copy of an Act passed by the Nova Scotia Legislature at the last Session, and assented to on the 19th April, 1884.

HENRY C. D. TURNING, *Clerk of Assembly.*

PROVINCIAL SECRETARY'S OFFICE, HALIFAX, N.S., 19th June, 1884.

Messrs. Baring Brothers & Co., in account with the Government of Nova Scotia.

Cr.		
1881, November 26th, by Sterling Exchange.....	£52,000	0 0
1883, September 1st, by Interest at 3 per cent.....	2,752	8 9
1884, July 1st, ditto at 5 per cent.....	2,165	9 7
	<hr/> £56,917 18 4	

E. & O. E.  
WM. K. RENNOLD, *Finance Clerk.*



FINANCE DEPARTMENT, OTTAWA, 4th July, 1884.

SIR,—I have the honor by the direction of the Acting Minister of Finance to enclose herewith papers in connection with an application from the Government of Nova Scotia to the Dominion Government, asking the latter to pay to Messrs. Baring Bros. & Co. the sum of £56,917 18s. 4d., the same to be appropriated, as far as possible, from the amount now standing at the credit of the Nova Scotia Debt Account. The circumstances of the case are as follows: Prior to December, 1881, the Government of Nova Scotia had obtained from the Dominion Government under the Act 37 Vic., chap. 17, sec. 2, various advances for local improvements. At that time they applied to be allowed to repay the amount so advanced, to the extent of \$2,000,000, the sums so repaid to be again carried to the credit of their Debt Account, and on an opinion of the then Deputy Minister of Justice, which I enclose herewith, an Order in Council, dated 4th January, 1882, was passed allowing advances to that extent to be repaid. The sum of £50,000 (odd) was accordingly obtained by them from Messrs. Baring Bros. & Co., and the equivalent thereof, or \$253,061.67, was paid to the Government in December, 1881, in part payment of the \$2,000,000 mentioned in the Order in Council.

Owing to a change in the Government of the Province and other reasons, no further payment was made, and other arrangements having now been made the Nova Scotia Government wish to have the amount repaid to Barings as specified in the papers enclosed. The original advance was to aid local improvements and I have now the honor to request that you will be good enough, at your earliest convenience, to inform me whether, under the circumstances, the request of the Government of Nova Scotia can be complied with and the moneys repaid in the manner specified in their application.

I have, etc.,

J. M. COURTNEY, *Deputy Minister of Finance.*

Deputy Minister of Justice, Ottawa.

DEPARTMENT OF JUSTICE, OTTAWA, 17th July, 1884.

SIR,—I have the honor to acknowledge the receipt of yours of the 14th instant, enclosing papers in connection with an application from the Government of Nova Scotia to the Dominion Government to pay Messrs. Baring Brothers & Co. the sum of £56,917 18s. 4d., from the amount now standing to the credit of the Nova Scotia Debt Account.

By 37th Vic., ch. 17, sec. 2, it is provided that:

"The Governor in Council may, in his discretion, advance from time to time to any Province in Canada, such sums as may be required for local improvements in the Province, and not exceeding in the whole the amount by which the debt of the Province for which Canada is responsible then falls short of the debt with which the Province was allowed to enter the Union—such advances to be deemed additions to the debt of the Province, with permission to the Province to repay them to Canada, on such notice, in such sums, and on such other conditions as the Dominion Government and that of the Province may agree upon; any amount so paid being deducted from the debt of the Province in calculating the subsidy payable to it."

It appears from your letter that under this provision various advances for local improvements were made to the Province of Nova Scotia; that in December of 1881 the Government of that Province asked for leave to repay such advances to the extent of \$2,000,000, which was given; and that accordingly £50,000, odd, was so repaid to Canada. This sum the Nova Scotia Government obtained from Messrs. Baring Bros. & Co. under an arrangement which has fallen through and they now ask to have the amount advanced to them to enable them to refund the same to Messrs. Baring Bros. & Co.

I am asked whether under the circumstances the request of the Government of Nova Scotia can be complied with and the moneys repaid in the manner specified in their application.

The payment to Canada by Nova Scotia of the sum mentioned was a repayment *pro tanto* of the advance made to them, which repayment increased the difference between the actual debt of the Province and the debt with which it was allowed to enter the Union.

To the extent of this difference the Governor in Council is given a discretion to advance such sums as are required for local improvements. But as it is clear that the sum which Nova Scotia now asks to have advanced is not for local improvements, I am of opinion that 37th Victoria, chap. 17, sec. 2, gives no authority for making the advance.

I am, etc.,

GEO. W. BURBIDGE, *D. M. J.*

Deputy Minister of Finance, Ottawa.

HALIFAX, N.S., 8th September, 1884.

SIR,—On the 19th of May last application was made to the Finance Department by the Government of Nova Scotia for payment of certain money to Messrs. Baring Brothers & Co., London. The money was deposited with the Government of Nova Scotia as security for a certain railway contract, and was by that Government placed in the hands of the Dominion Government. Arrangements were made subsequently between the Government of Nova Scotia and Messrs. Baring Brothers & Co. for a return of the money, and an Act confirming these arrangements was passed by the Legislature of Nova Scotia at the last Session. After considerable correspondence with the Departments of Finance and Justice, we were informed that the application had been referred to you. Therefore, on the 31st of July, I telegraphed you as follows:—

“Understand our application for payment of money to Barings has been referred to you. Please give it attention at once, if possible, as we wish to settle with Barings without delay.”

To this no reply has been received. Permit me to again bring the matter to your notice, and to request that it be dealt with by the proper officer of your Government.

I have, etc.,

W. S. FIELDING, *Provincial Secretary.*

Rt. Hon. Sir JOHN A. MACDONALD, Ottawa.

ST. PATRICK, RIVIERE DU LOUP, P. Q., 12th September, 1884.

SIR,—I have the honor to acknowledge the receipt of your letter of the 8th instant, on the subject of the payment of certain moneys to Messrs. Baring Brothers of London.

On my return to Ottawa next week, I shall make enquiry into the present position of that application. My present impression is that the Minister of Justice has reported that the Finance Minister cannot legally pay this sum of money under the terms of the Statute in that behalf.

I have, etc.,

JOHN A. MACDONALD.

W. S. FIELDING, *Provincial Secretary, Halifax, Nova Scotia.*

HALIFAX, 15th September, 1884.

SIR,—I have the honor to acknowledge the receipt of your letter of the 12th instant, respecting the application of the Government of Nova Scotia for payment of certain moneys to Messrs. Baring Brothers & Co., of London, and I beg to thank you for your assurance that the matter will receive attention on your return to Ottawa.

Referring to your impression that the Minister of Justice has reported that the Finance Minister cannot legally pay the money under the terms of the Statute in that behalf, I presume such report, if it has been made, is from the Deputy Minister.



Sir Alexander Campbell, to whom I explained the matter in Halifax several weeks ago, informed me that he had no personal knowledge of it, and he kindly added that he would, as far as possible, use his influence to facilitate the wishes of our Government.

If the report is based on the fact that the application was for payment of interest as well as principal, that need not be a difficulty. The objection has been anticipated and met by my letter of the 12th instant.

If the Deputy Minister's report rests on the words of the Statute (37th Vic. Cap. 17) respecting the advance of moneys for "local improvements" I would respectfully ask that the objection be not, without further consideration, regarded as an impediment to the payment desired. There is precedent for the payment to the Province by your Government, out of the Debt Account, of moneys for purposes which a severe interpretation of the words might hold were not those of "local improvements." The circumstances attending the application for payment to Messrs. Baring Brothers are such as warrant the most liberal interpretation of the Act. The raising of a technical objection to the application would be so much opposed to the interests of the Province that I trust the Dominion Government will take the whole matter fully into consideration before acting on any adverse report.

The money for which the application is made was received by a former Nova Scotia Government from Messrs. Baring Brothers as part of the security for the performance of a certain railway contract by Mr. F. W. Plunkett and his associates, who were subsequently incorporated as the Nova Scotia Railway Company. Further sums were to have been deposited by the Company at later stages. The Nova Scotia Government, assuming that these further sums would be provided in due course, arranged with your Government that a portion of the moneys so to be received by the Province should be taken into the Dominion Treasury as a repayment of advances that had been made under the provisions of the Act 37th Victoria, above mentioned, and in accordance with such arrangement the £52,000 furnished by Messrs. Baring Brothers was deposited at Ottawa. The Nova Scotia Railway Company never carried out its undertaking. The further sums required were not provided. After a full enquiry into the subject the Government of Nova Scotia came to the conclusion that the deposit of £52,000 should not be held as forfeited, but should be returned to Messrs. Baring Brothers. An agreement to that effect was made between the Government and Messrs. Baring Brothers, and an Act of the Legislature obtained authorizing the repayment of the money.

In view of the advances made in a previous case from the Debt Account, on the application of the Government of Nova Scotia, it did not appear that there could be any question as to the payment in this instance. The Government of Nova Scotia can only repay the money to Messrs. Baring Brothers by obtaining it from the fund in which it was deposited. The repayment is most desirable as an act of justice to Messrs. Baring Brothers, and also in the interest of the Province. While the application has been pending before your Government the delay of payment has been made the subject of comment in London, that may have operated to the disadvantage of the Province in business connected with Provincial loans.

I have thought it well, in view of the impressions mentioned in your letter, to place this statement of the case before you at once, rather than await further communications, so that, if possible, further delay may be avoided. I trust that on consideration of all the circumstances, your Government will see no reason to prevent the advance of this money to the Province out of the fund into which it was placed.

I have, etc.,

W. S. FIELDING, *Provincial Secretary.*

Rt. Hon. Sir JOHN A. MACDONALD, Premier, Ottawa.

FINANCE DEPARTMENT, OTTAWA, October 20th, 1884.

MY DEAR SIR,—I had referred to me on Saturday your letters of the 8th [and 15th September last to the address of the Right Honorable Sir John A. Macdonald

relative to your application to this Department for payment of certain money to Messrs. Baring Brothers & Co. On looking at the Statute (37 Vic. Cap. 17) it seems very clear that when once money is deposited to the credit of the Debt Account it can only be withdrawn for the purpose of local improvements. The best way to have avoided the difficulty would have been when you were receiving the money for the purchase of the Eastern Extension Railway to have remitted part of the money to Messrs. Baring Brothers & Co. and withdrawn the amount so paid from the amount of credit of the Debt Account. I presume, however, that your Government is still carrying on local improvements, and, as the Act is not very explicit in its definition of what local improvements are and whether they are performed or to be performed, I think if you will withdraw the correspondence as it now stands and send me a certified Minute of your Council asking for the withdrawal of the sum required for local improvements, I might get the necessary Order in Council passed. I need not say I will do everything I can to facilitate the wishes of your Government.

Yours very truly,

J. M. COURTNEY, *Deputy Minister of Finance.*

HON. W. S. FIELDING, Provincial Secretary, Halifax, Nova Scotia.

HALIFAX, N.S., 19th November, 1884.

SIR,—I beg to acknowledge the letter of Mr. Courtney, Deputy Minister of Finance, dated 20th October, on the subject of our application for payment of certain moneys to Messrs. Baring Brothers & Co., which was received here during my absence in the United States.

The Government of Nova Scotia had entertained a hope that on considering the facts fully set forth in the earlier correspondence on this subject, the Government at Ottawa would feel it to be their duty to pay over to Messrs. Baring the money which was received by the Province from them in 1881 and deposited at Ottawa. I regret to find that difficulties are still placed in the way of such payment.

Mr. Courtney suggests that the Government of Nova Scotia might have avoided the difficulty by using a portion of the purchase money of Eastern Extension to pay Messrs. Baring Brothers, and then applying to your Government for the amount out of the Debt Account. This suggestion would hardly have been offered if Mr. Courtney had been better acquainted with the financial arrangements of the Province.

The money with which the Eastern Railway transaction was handled by the Provincial Government was borrowed from one of the banks. The Government were under obligations to repay it on receipt of the sum payable by the Dominion. If the course suggested by the Deputy Minister had been taken that obligation could not have been discharged. A large portion of the debt of the bank would have remained unpaid. I have no reason to believe that an application to your Government for a sum out of the debt account to pay a debt due a bank in Canada would have been received with more favor than an application to pay out of the same account a debt due to a banking house in London. On the contrary, it must be apparent that such an application as Mr. Courtney suggests would have been open to objections which cannot be urged against the claim we have made for the payment to Messrs. Barings of money which was provided by them and which should be returned to them.

The request of your Government that we pass an Order in Council applying for the money for "local improvements" cannot be complied with, because such an application would be literally untrue and would place the Government of Nova Scotia in the position of being liable to a charge of misrepresentation. We do not require the money for "local improvements," in the ordinary sense of the words; we require it for the purpose of paying it to Messrs. Baring Brothers & Co., to whom it justly belongs.

There does not appear to be any substantial reason why this money should not be paid over, as Mr. Courtney concedes the words "local improvements" admit of considerable latitude of interpretation.



The proper course I venture to submit is to pass an Order in Council at Ottawa setting forth the peculiar circumstances of the case and determining that the money in question shall be paid to Messrs. Baring Brothers & Co. I submit that the circumstances fully warrant such action apart from the question of precedent. But if a precedent is desired for the payment of moneys out of the Debt Account without such an Order in Council as is now required of us it can easily be furnished. In 1879 some correspondence passed between your Government and the then Government of Nova Scotia (Mr. Holmes' Administration) respecting moneys which were applied for from the Debt Account. Reference was made to certain railways that the moneys might be charged against. Your Government, through the then Minister of Justice, Hon. James McDonald, asked Mr. Holmes to send an Order in Council calling for the money on account of the railways. No such Order was passed, nor could it have been, the fact being that the money was required to pay off the floating debt of the Province. The only Order in Council furnished in response to that request of your Government was as follows:—

"It is recommended that application be made to the Minister of Finance at Ottawa for the sum of two hundred thousand dollars, part of the amount remaining to the credit of the Debt Account of Nova Scotia."

On this Order, which made no reference whatever to the question of "local improvements" your Government paid to the Holmes Government the sum of two hundred thousand dollars which was applied to the purpose above indicated.\*

It will be seen therefore that even if the special circumstances of the present case did not call for the payment sought by us, we have a precedent for the payment of moneys out of the Debt Account on an Order in Council without reference to the "local improvements" technicality. If moneys could be paid by your Government to our predecessors for such purposes as I have referred to, may we not reasonably ask a favorable response to our application for the payment to Messrs. Baring Brothers & Co. of a sum of money which properly belongs to them?

I would again very respectfully urge that the payment applied for be made. Even if the Statute were not so elastic as Mr. Courtney admits, the facts of the case would warrant the making of the payment, and there could be none to call in question its propriety. The law, I submit, should be strained, if need be, to allow the money to be paid. It should not be strained to prevent the payment.

In conclusion I beg to say that our Government are not aware of any reason why the correspondence on this subject should be withdrawn as is proposed in the Deputy Minister's letter.

I have, etc.,

W. S. FIELDING, *Provincial Secretary.*

Hon. Sir LEONARD TILLEY, Minister of Finance, Ottawa.

*Copy of a Report of a Committee of the Honorable the Privy Council, approved by His Excellency the Governor General in Council on the 25th June, 1879.*

On a Report dated 19th June, 1879, from the Honorable Mr. Bowell, acting in the absence of the Minister of Finance, stating that he has received an application, under date of the 16th instant, for an advance to the Province of Nova Scotia of a sum of two hundred thousand dollars; that the application is accompanied by a copy of a Minute of the Council of that Province, setting forth that the money is required in the following proportions for the purposes of the Nictaux and Atlantic and Eastern Extension Railways:

Nictaux and Atlantic.....	\$150,000
Eastern Extension.....	50,000
	<hr/>
	\$200,000

MEMORANDUM.—The Order in Council under which this advance of \$200,000 was given, dated 25th June, 1879, is given immediately after this letter.

And recommending that the request be granted, and the amount charged to the Province of Nova Scotia Debt Account.

The Committee submit the above recommendation for your Excellency's approval.  
(Certified)

W. A. HIMSWORTH, *Clerk of the Privy Council.*

(Telegram)

To Honorable Sir L. Tilley, from Halifax :

OTTAWA, 10th December, 1884.

Government of Nova Scotia hereby withdraw their application for payment of money to Baring Brothers, London, out of the Debt Account. Our Order in Council of 19th June, 1884, authorizing such application has been cancelled.

W. S. FIELDING, *Provincial Secretary.*

(Telegram)

Honorable W. S. Fielding, Halifax, N. S. :

OTTAWA, 11th December, 1884.

Had prepared report for Council yesterday recommending payment of money to Baring Brothers, and the passage of Act next Session to remove existing difficulties. Under these circumstances do you still wish your Order of Council as considered cancelled ?

S. L. TILLEY.

HALIFAX, 10th December, 1884.

SIR,—I beg to confirm my telegram of this day's date, as follows:—"Government of Nova Scotia hereby withdraw their application for payment of money to Baring Bros., London, out of the Debt Account. Our Order in Council of 19th June, 1884, authorizing such application, has been cancelled."

Herewith you will receive certified copy of Minute of Council cancelling Minute of 19th June, 1884.

I have, etc.,

W. S. FIELDING, *Provincial Secretary.*

HON. SIR LEONARD TILLEY, Minister of Finance, Ottawa.

EXTRACT from the Minutes of the Executive Council passed at Halifax on the tenth day of December, A. D. 1884, and approved by His Honor the Lieutenant-Governor.

"That the Minute of Council of June 19th, 1884, authorizing an application to the Government of Canada for payment of certain moneys to Messrs. Baring Brothers & Co., London, be cancelled."

I certify the foregoing to be a true and correct copy of an extract from the Minutes of the Executive Council passed and approved as aforesaid.

W. S. FIELDING, *Provincial Secretary.*

FINANCE DEPARTMENT, OTTAWA, 15th December, 1884.

MY DEAR SIR,—A Report had been prepared and sent to Council with reference to the application for the payment to be made to Messrs. Baring Brothers & Co. This Report was returned to me last Saturday, and I find that its return was in consequence of a telegram received by the Finance Minister that other arrangements had been made. I deem it but right, however, that you should be advised of the Report, and for that reason I enclose a copy.

Yours very truly,

J. M. COURTNEY, *Deputy Minister of Finance.*

HON. W. S. FIELDING, *Provincial Secretary, Halifax.*



*(Copy enclosure with preceding letter.)*

The undersigned has the honor to report to Council that he has received from the Honorable the Provincial Secretary of the Province of Nova Scotia a certified copy of a Minute of the Executive Council of that Province passed on the 19th day of June last, that application be made to the Government of Canada to pay to the firm of Messrs. Baring Brothers & Co., London, England, bankers, on the first day of July, 1884, the sum of £56,917 18s. 4d. sterling, equal to, in Dominion currency, at par, \$277,000.52, being the amount in full due said firm on said date, under and by virtue of an Act of the Legislature of Nova Scotia, passed on the 19th of April, 1884, intituled: "An Act to authorize the payment of certain moneys to Baring Brothers & Company," a certified copy of which was also enclosed. That by the said Minute the Government of Canada was further requested to appropriate to said payment the amount which would remain to the credit of the debt account of Nova Scotia on said first day of July, 1884, and to make the balance of said payment to said firm out of the subsidy due Nova Scotia on said first day of July, 1884. It would appear that the only purpose for which advances are authorized to be made to any of the Provinces out of the Debt Account, as proposed in the foregoing Minute of the Executive Council of Nova Scotia, are for "local improvements in the Province," under the Act of the Parliament of Canada, 37th Victoria, cap. 17, sec. 2. The undersigned finds that prior to December, 1881, the Government of Nova Scotia obtained from the Dominion Government under the Act above cited, various advances from the Debt Account, for the purpose of local improvements; that at the last mentioned date they applied to be allowed to repay the sums so advanced to the extent of \$2,000,000, the sums so repaid to be again carried to the credit of their Debt Account, and on the opinion of the then Deputy Minister of Justice, an Order in Council was passed on the 4th January, 1882, allowing the advances to be repaid to the above amount; that the sum of £50,000 (odd) was accordingly obtained by them from Messrs. Baring Brothers & Co., and the equivalent thereof, or \$253,061.67 was paid to the Government of Canada in December, 1881, in part payment of the \$2,000,000 mentioned in the Order in Council; that owing to a change of Government in the Province, and other reasons, no further payments were made, and as other arrangements have now been made, the Nova Scotia Government wish to have the amount repaid to Messrs. Baring Brothers & Co., as specified in the said Minute of Council. The undersigned has further to report that the above facts and the papers from the Nova Scotia Government were submitted to the Department of Justice for an opinion as to whether under the circumstances, as the original advance was for local improvements under the Act above cited, the request of the Government of Nova Scotia could be complied with, and the money paid in the manner specified in their application, and an answer has been received from the Deputy Minister of Justice, that as it was clear that the sum now asked to be advanced is not for local improvements, he was of opinion that 37th Vic., cap. 17, sec. 2, gave no authority for making the advance. The undersigned, however, is of opinion that under all the circumstances of the case, it would be advisable to make the advance as asked for by the Government of Nova Scotia, and he therefore recommends that the sum of £56,917 18s. 4d., sterling, be paid to Messrs. Baring Brothers & Co., and that the equivalent thereof be charged against the Province of Nova Scotia as an advance from the amount remaining at the credit of the Debt Account as if the advance were made under the Act 37th Vic., cap. 17, sec. 2, such advance to be subject to the terms and conditions thereof, and, to remove all doubt, he further recommends that Parliament be asked at the ensuing Session to sanction and ratify the advance and payment made in pursuance thereof

Respectfully submitted,

S. L. TILLEY, *Minister of Finance.*

Finance Department, Ottawa, 10th December, 1884.

HALIFAX, 22nd December, 1884.

SIR,—I have the honor to acknowledge receipt of the Deputy Minister's letter of 15th inst., enclosing draft of a Report which he informed me was prepared for the consideration of the Council, on the application of the Government of Nova Scotia, for payment of certain moneys to Messrs. Baring Brothers & Co.

The Government of Nova Scotia regret that your Government were unable to take earlier action in the matter. The application for payment was made seven months ago by letter from this Department, dated May 19th, followed by a Minute of Council dated June 19th.

The importance of having an early settlement was urged repeatedly without success. Meanwhile the non-payment of the money was a cause of embarrassment to the Province in several matters. To put an end to all difficulty the Government of Nova Scotia made other arrangements to provide the money, and on the 10th instant cancelled the Minute of Council of June 19th, and withdrew the application to your Government.

I have, etc.,  
W S. FIELDING, *Provincial Secretary.*

Hon. Sir S. L. TILLEY, Minister of Finance, Ottawa.

STATEMENT showing amounts advanced out of Debt Account to the Province of New Brunswick under Act 37 Vic., cap. 17.

Date.	Particulars.	Amount.		Total.
		\$	cts.	\$ cts.
1875.	Cash.....			25,300 00
1876.				
Aug. 29...	Payment on account of Albert Railway.....	50,000	00	
Dec. 22...	do do .....	50,000	00	
1877.				
Feb. 27...	do do .....	50,000	00	150,000 00
July 4...	do do .....	75,000	00	
Dec. 28...	do do .....	100,000	00	
1878.				
Jan. 19...	do do .....	50,000	00	225,000 00
Oct. 29...	do do .....	25,000	00	
1879.				
Jan. 27...	do do .....	22,500	00	47,500 00
	Total .....			447,500 00

The above payments on account of Albert Railway Company were made under Orders in Council authorizing the particular payments upon minutes of Executive Council applying therefor.

STATEMENT showing amounts advanced out of Debt Account to the Province of Manitoba under 37 Vic., cap. 17.

Date.	Particulars.	Amount.	
		\$	cts.
1875.	Cash.....	40,000	00
March 1...			
1880.	do .....	100,000	00
Sept. 30...			
1881.			
Sept. 16...	Payment on account of debt.....	50,000	00
	Total.. .....	190,000	00



*COPY of a Report of a Committee of the Honorable the Privy Council, approved by His Excellency the Governor General in Council on the 4th February, 1875.*

Upon an application from the Lieutenant-Governor of Manitoba enclosing a Minute of the Executive Council of that Province asking that \$20,000 be advanced to be charged against the debt for the purpose of clearing off certain floating debts, and \$20,000 for building county court houses and gaols, and on the recommendation of the Hon. the Minister of Finance, the Committee advises that an advance be made accordingly, to be also charged against their said debt.

(Certified)

W. A. HIMSWORTH, *Clerk Privy Council.*

*COPY of a Report of the Committee of the Honorable the Privy Council, approved by His Excellency the Governor General in Council on the 1st March, 1875.*

On a Report dated 26th of February, 1875, from the Honorable the Minister of Finance, stating that, after full consideration of the present financial situation of Manitoba, he is of opinion that it will not be possible to carry on the local administration of that Province, with due regard to the necessity of effecting certain local improvements, for a less sum than \$100,000 per annum, even after the reductions in the expense of Civil Government recently effected, and recommending that the subsidy annually granted to that Province be increased to the sum of \$100,000, and that the excess above the amount legally due be charged against the debt allowed the Province of Manitoba in accordance with the provisions of the Act 37 Vic., chap. 17.

The Committee concur in the foregoing recommendation and submit the same for Your Excellency's approval.

(Certified)

W. A. HIMSWORTH, *Clerk Privy Council.*

*COPY of a Report of a Committee of the Honorable the Privy Council approved by His Excellency the Governor General in Council on the 22nd September, 1880.*

On a Report dated 13th of September, 1880, from the Honorable the Minister of Finance, stating that he has received a communication from the Provincial Treasurer of the Province of Manitoba, stating that an Order has been passed by the Lieutenant-Governor in Council, asking that the sum of one hundred thousand dollars (\$100,000) may be placed to the credit of the Province of Manitoba in accordance with the understanding arrived at between the Privy Council and the Delegates from that Province, the same to be charged to the debt of the Province of Manitoba;

The Minister recommends that above request be complied with.

The Committee submit the foregoing for Your Excellency's approval.

(Certified)

J. O. COTÉ, *Clerk of Privy Council.*

*EXTRACT from the Minutes of a Meeting of the Treasury Board held on the 12th September, 1881, approved by the Honorable the Deputy of His Excellency the Governor General in Council on the 13th September, 1881.*

The Board had under consideration a letter from His Honor the Lieutenant-Governor of Manitoba transmitting a copy of Report of a Committee of the Executive Council approved on the 22nd August, 1881, requesting that the sum of fifty thousand dollars be placed to the credit of the Province of Manitoba.

The Board recommend that an advance be made to the Province of Manitoba for local improvements of fifty thousand dollars (\$50,000), the same to be charged to Debt Account.

(Certified)

J. O. COTÉ, *Clerk of Privy Council.*

STATEMENT showing amount advanced out of Debt Account to the Province of British Columbia under 37 Vic., cap. 17, sec. 2.

Date.	Particulars.	Amount.
		\$ cts.
1875. June 8..	Cash.....	189,150 00

COPY of a Report of a Committee of the Honorable the Privy Council approved by His Excellency the Governor General in Council on the 3rd November, 1873.

On a memorandum dated 30th October, 1873, from the Honorable the Minister of Finance, submitting an application from Mr. DeCosmos on behalf of the Government of British Columbia, asking if the Dominion may advance for local improvements a sum equal to the difference between the actual debt of the Province and the debt allowed at the Union, such advance to be made at the rate of five per cent., to be secured upon the subsidy and to be repaid by a sinking fund.

The Minister states that he considers it inexpedient that the Dominion Government should undertake to make a loan on the terms specified, but that there is no doubt that if the Province wishes to enter upon local improvements and borrow money for the purpose, it could be done on more favorable terms in the manner proposed than by procuring a loan elsewhere, and he suggests that the same object can be gained in another way which would be quite legitimate.

That the excess of the debt allowed over that outstanding at the date of the Union is in fact a debt of the Dominion upon which it has to pay five per cent. annually on the subsidy, and that there can be no objection to the Dominion, if it thinks proper, redeeming this debt by paying the money to the Province.

The Minister therefore recommends that authority be given to advance to the Government of British Columbia for local improvements, such sums from time to time as may be applied for, to be charged against the debt of the Province to the extent of the amount by which that debt falls short of the debt allowed.

Should the Provincial Government at any time wish to refund any portion of the advances so made, the refund, the Minister observes, would on the same principle be credited to the debt.

The Committee concur in the foregoing recommendation and submit the same to Your Excellency's approval.  
(Certified)

W. A. HIMSWORTH, Clerk Privy Council.

COPY of a Report of a Committee of the Honorable the Privy Council, approved by His Excellency the Administrator in Council on the 20th May, 1875.

Upon the application of the Government of British Columbia for the sum of \$439,180, whereof \$250,000 is asked for on account of the graving dock, the remainder for Local Improvements, the whole to be advanced in accordance with the provisions of Vic. 37, Cap. 17;

The Honorable the Minister of Finance, to whom this application has been referred, observes in a Report dated 19th May, 1875, that with respect to the sum asked for the construction of a graving dock, certificates of progress of work are required by the terms of the Act, and that such certificates have not, so far as he is aware, been furnished by the Government of British Columbia. With respect to the remaining advances, he further observes that it is entirely optional with the Government of the Dominion to advance any sums on said account; and inasmuch as inconvenience may arise if expenditure should be undertaken in any of the Provinces under the impression that the Local Governments or Legislatures are at liberty to draw at pleasure for the balance of debt referred to in said Act, he suggests that the



Secretary of State be directed to notify the local authorities of the several Provinces that the consent of the Government of Canada must be expressly obtained before any advance on account of local improvements, as specified in the above Act, is authorized; but that the sum of \$189,150 having been spent by the British Columbia Government, it is recommended that this sum be paid.

The Committee concur in the foregoing Report and submit the same for Your Excellency's approval.

(Certified)

W. A. HIMSWORTH, *Clerk Privy Council.*

*COPY of a Report of a Committee of the Honorable the Privy Council, approved by His Excellency the Governor General in Council on the 28th July, 1875.*

The Committee have had under consideration the Report dated 21st July, instant, from the Honorable the Minister of Finance, relative to the request of the Government of British Columbia for a further advance of \$250,000 to be charged against the debt of that Province under the provisions of the Statute 37 Vic., chap. 17.

The Minister observes that the Government of British Columbia were in no way warranted in incurring expenditure or entering into any contracts whatever without the express consent of the Governor in Council.

That it is immaterial for what purposes the said \$250,000 are required.

That under existing circumstances the engagements contracted by the Government of the Dominion render it inexpedient to comply with the request of the Government of British Columbia, more especially as the Council have already authorised an advance of a large sum, to wit \$189,000 to British Columbia.

The Committee concur in the Report of the Minister of Finance, and submit the same for Your Excellency's approval.

(Certified) W. A. HIMSWORTH, *Clerk Privy Council.*

*COPY of a Report of a Committee of the Honorable the Privy Council, approved by His Excellency the Governor General in Council on the 8th December, 1875.*

The Committee of Council have had under consideration a Report from the Honorable the Minister of Finance to whom were referred the several papers having reference to the application of the Government of British Columbia for a further advance of money on account of the balance of debt.

The Minister states that with regard to the Order in Council of the 3rd November, 1873, it would appear that the said Order was deemed to be invalid and in excess of the power of the Government of Canada, and that no action was taken thereon on that account.

That the 2nd section of chap. 17 of the Statutes of 1874, authorizing the Governor in Council, at his discretion, to make advances to the several Provinces, was drawn in its present form for the express purpose of guarding against the inconveniences which might otherwise arise if the several Provinces were to consider themselves at liberty to draw for the balance of their debt without previous communication with the Dominion Government. That it was never contemplated that any Province would enter into any contracts, or make any engagements whatever, involving the use of this fund without having first applied for and obtained the consent of the Dominion Government to advance the money required under the said Act. That a considerable sum amounting to \$189,000 has been already advanced under the said Act for the purpose of relieving the Government of British Columbia from their embarrassments, at which time they were advised that no further advance could conveniently be made.

The Minister therefore states that in view of all the circumstances he is unable to recommend a departure from the decision previously arrived at.

The Committee concur in the report of the Minister of Finance and submit the same for Your Excellency's approval.

(Certified)

W. A. HIMSWORTH, *Clerk Privy Council.*

## RETURN

(34b.)

TO AN ADDRESS of the HOUSE OF COMMONS, dated the 2nd March, 1885, for copies of all correspondence since 1st January last, between the Dominion Government and the Government of the Province of Quebec, in relation to an increase or readjustment of the Dominion Subsidy to the Province, including any letter written to that end by one of the said Governments to the other, or by any of the Ministers thereof, in relation to the subject ; also of any such correspondence with any of the other Provinces of the Dominion.

By Command.

J. A. CHAPLEAU,  
*Secretary of State.*

Department of Secretary of State,  
Ottawa, 23rd April, 1885.

PRIVY COUNCIL, CANADA, OTTAWA, 9th April, 1885.

SIR, —I have the honor to transmit herewith copy of a despatch dated 19th February, 1885, from the Lieutenant-Governor of the Province of Quebec, in relation to the increase or readjustment of the Dominion subsidy to the Province of Quebec. There is no other paper of record in this office, of which copies have not been brought to the House of Commons, as far as I am aware.

I have the honor to be, Sir, your obedient servant,  
JOHN J. MCGEE, *Clerk Privy Council.*

Under Secretary of State, Ottawa.

P.S.—Address returned herewith.

GOVERNMENT HOUSE, QUEBEC, 19th February, 1885.

SIR, —I have the honor to enclose herewith a copy of an Order of my Executive Council, in relation to the Dominion subsidy per head payable to this Province.

I beg to request that you will submit it for the consideration of His Excellency the Governor General.

I have the honor to be, Sir, your obedient servant,  
L. R. MASSON, *Lieutenant Governor.*

Hon. the Secretary of State, Ottawa.

*COPY of the Report of a Committee of the Honorable the Executive Council, dated 11th February, 1885, approved by the Lieutenant Governor 13th February, 1885.*

The Honorable First Minister, in a report dated 11th February instant (1885) sets forth that since the date of the confederation of the several Provinces of Canada (1867) the expenditure of the Province of Quebec has increased in volume year by year, owing to the increase in its population and the additional charges resulting therefrom, while that very increase of the population has been a source of revenue for the Dominion Government, by causing a proportionate increase in the collection of Customs and Excise duties ;



That by the 64th of the resolutions adopted by the delegates appointed to consider the scheme of union of the Provinces of British North America, it was declared that the subsidy of 80 cents per head of the population, as established by the census of 1861, was granted in consideration of the transfer by the Provinces to the Central Government of the power of levying duties of Customs and Excise;

That the revenue from Customs and Excise combined was, in 1868, \$11,580,998.25, when the population of the Dominion was 3 090,561 souls, and that in 1884 the revenue was \$25,482,699, the population, as established by the census of 1881, having reached 4,324,810 souls;

That if the Dominion Government had paid the subsidy per head of the population as established by the last census, it would have given, in 1884, but 13.57 per cent. of the revenue derived from Customs and Excise; whereas, in 1868, it paid 21.40 per cent.;

That the large expenditure incurred by the Government of this Province for the promotion of agriculture and colonization, for subsidies to railway companies, &c., &c., has resulted in a marked increase of the population;

That an increase of population, which means, of necessity, an increased revenue for the Dominion Government, is, on the other hand, an inevitable cause of expenditure for the Government of the Province, inasmuch as it causes additional outlay for the administration of justice, for the maintenance of asylums and prisons, the working of school laws, &c.; so that the Government of Quebec, by paying to develop the resources of the Province, is, in fact, creating for itself additional burthens and working to the detriment of its own treasury, which constitutes a state of things absolutely abnormal;

That the maintaining of the Dominion subsidy per head of the population at the fixed and invariable sum based on the census of 1861, notwithstanding the increase of the population, is calculated to paralyse the action of the Provincial Legislature, to hamper it in the discharge of the duties and obligations imposed upon it by the constitution, and to render more and more difficult the financial position of the Government.

The Honorable the Prime Minister therefore recommends: That a despatch be sent by His Honor the Lieutenant Governor to His Excellency the Governor General, calling the attention of the Government of Canada to Order in Council No. 54, of 11th February, 1884, and representing that the state of things mentioned in the said Order in Council and in this report renders it imperative upon the Government of this Province to request the Dominion Government to adopt such measures as it may deem requisite, so that the Dominion subsidy per head of the population, payable to this Province, may be fixed at the amount stated in the said Order in Council No. 34, of 11th February, 1884, and to base the said subsidy on each last decennial census.

GUSTAVE GRENIER, *Dep. Clerk Ex. Council.*

DEPARTMENT OF SECRETARY OF STATE, OTTAWA, 23rd February, 1885.

SIR,—I have the honor to acknowledge the receipt of your despatch of the 19th instant, enclosing a copy of an Order of your Executive Council, to be submitted to His Excellency the Governor General, on the subject of the Dominion subsidy per head payable to the Province of Quebec, and to inform you that this matter will receive all the attention it deserves.

I have the honor to be, Sir, your obedient servant,

G. POWELL, *Under Secretary of State.*

His Honor the Lieutenant Governor of the Province of Quebec, Quebec.

## REPORTS

(37)

Relative to Manufacturing Industries in existence in Canada. Submitted to the House of Commons for its information, 11th February, 1885.

The undersigned has the honor to report to Council that he has had for some time under consideration the desirability of procuring reliable information as to the manufacturing industries in existence in Canada, as regards the number of persons employed, the amount of capital invested, the output thereof, the date of establishment and the progress of the several factories, and, in fact, all particulars that will be of use in aiding the Government in legislation with reference thereto. The undersigned is aware that a certain amount of information respecting these manufacturing interests has been already given in the census, but that information embraces only the period from 1871 to 1881, and the undersigned is of opinion that this information should be brought down to the most recent date, and particular attention should be paid to the progress that has been made since the commencement of the year 1879. With this view, the undersigned is of opinion that it is desirable to appoint some fully qualified person to travel about to the chief centres of industry in Canada and to complete a report on the subject by the 1st of January next, in order that sufficient data may be procured for any legislation that may be required.

The undersigned, therefore, recommends that Mr. A. H. Blackeby, who has previously visited the factories in Canada and in Massachusetts, and who has shown himself fully qualified for the work, be detailed to procure the information above mentioned, and make the report thereon above mentioned specified, and he recommends that he be allowed, while engaged in the work, remuneration at the rate of \$5 per diem and all living and travelling expenses; his report to be made on or before the 1st day of January next; and further, that he now be granted an advance of \$500 on account of such remuneration, the same to be charged to "Unforeseen Expenses."

Respectfully submitted,

S. L. TILLEY, *Minister of Finance.*

FINANCE DEPARTMENT, OTTAWA, 2nd May, 1884.

*CERTIFIED COPY of a Report of a Committee of the Honorable the Privy Council, approved by His Excellency the Governor General in Council on the 5th May, 1884.*

On a report, dated 2nd May, 1884, from the Minister of Finance, stating that it is desirable to procure reliable information as to the manufacturing industries in existence in Canada, as regards the number of persons employed, the amount of capital invested, the output thereof, the date of establishment, and the progress of the several factories, and, in fact, all particulars that will be of use in aiding the Government in legislation with reference thereto:

The Minister observes that there has been already given in the census a certain amount of information respecting these manufacturing interests, but that information only embraces the period from 1871 to 1881.

The Minister is of opinion that this information should be brought down to the most recent date, and particular attention should be paid to the progress that has been made since the commencement of the year 1879; and, with this view, he is of opinion that it is desirable to appoint some fully qualified person to travel about to the chief centres of industry in Canada, and to complete a report on the subject by the 1st of January, 1885, in order that sufficient data may be procured for any legislation that may be required.

The Minister recommends that Mr. A. H. Blackeby, who has visited the factories in Canada and in Massachusetts, and who has shown himself fully qualified for the work, be detailed to procure the information above mentioned, and make the



report thereon above specified, and that he be allowed remuneration while engaged in the work at the rate of \$5 per diem, and all living and travelling expenses; and, further, that he be now granted an advance of \$500 on account of such remuneration, to be charged to "Unforeseen Expenses;" also, that Mr. Blackeby's report be made on or before the 1st day of January, 1885.

The Committee concur in the foregoing recommendations and submit the same for Your Excellency's approval.

JOHN J. MCGEE, *Clerk, Privy Council.*

FINANCE DEPARTMENT, OTTAWA, 8th May, 1884.

SIR,—I have the honor to inform you that by Order in Council, dated the 5th instant (certified copy enclosed), you have been appointed a commissioner to procure for the Government of Canada information as to the manufacturing industries in Canada, as regards the number of persons employed, the amount of capital invested, the output thereof, the date of establishment and the progress of the several factories, and, in fact, all particulars that will be of use in aiding the Government in legislation with reference to the same, and to report thereon to the Government as in the Order in Council specified.

I have, &c.,

J. M. COURTNEY, *Deputy Minister of Finance.*

A. H. BLACKEBY, Esq., Galt, Ont.

FINANCE DEPARTMENT, OTTAWA, 27th May, 1884.

SIR,—I have the honor, by direction of the Honorable the Minister of Finance to request that, in your visits to factories for the purpose of collecting statistics with reference thereto, you will not, until further notice, visit any factories within the Province of New Brunswick or the Province of Nova Scotia.

I have, &c.,

J. M. COURTNEY, *Deputy Minister of Finance.*

A. H. BLACKEBY, Esq., Galt, Ont.

The undersigned has the honor to report to Council that by an Order in Council passed on the 5th day of May last, Mr. A. H. Blackeby was appointed to collect statistics respecting the manufacturing interests in Canada; and in order to allow sufficient opportunity for the proper consideration of his report before the meeting of Parliament next year, he was required to furnish such report on or before the 1st day of January next. The undersigned, however, considered the time allowed Mr. Blackeby was not sufficient to permit of his making sufficiently thorough enquiries into the state of the factories in all parts of the Dominion, and that, in order to get full information, further assistance should be obtained. With this view, the undersigned entered into correspondence with Hon. Edward Willis, of St. John, N. B., and desired him to collect statistics with reference to the factories in the Maritime Provinces, similar to those Mr. Blackeby was making in Ontario and Quebec, and report to the Government the result of such enquiries on or before the 1st day of January next.

The undersigned has, therefore, now the honor to recommend that Hon. Edward Willis be appointed, on behalf of the Government, to procure information as to the manufacturing industries in existence in the Maritime Provinces of the Dominion of Canada, as regards the number of persons employed, the amount of capital invested, the output thereof, the date of establishment and the progress of the several factories, and all such further particulars as will be of use in aiding the Government in legislation with reference to the same, and that he be paid the sum of \$5 a day for his services, from the 10th of June last until the date of the rendering of his report, such report to be rendered on or before the 1st day of January next.

Respectfully submitted,

S. L. TILLEY, *Minister of Finance.*

FINANCE DEPARTMENT, OTTAWA, 13th September, 1884.

*CERTIFIED COPY of a Report of a Committee of the honorable the Privy Council, approved by His Excellency the Governor General in Council on the 14th September, 1884.*

On a report dated 13th September, 1884, from the Minister of Finance, submitting that by an Order in Council dated 5th May last, Mr. A. H. Blackeby was appointed to collect statistics respecting the manufacturing industries of Canada, and in order to allow sufficient opportunity for the proper consideration of his report before the meeting of Parliament, next year, he was required to furnish such report on or before the 1st day of January next.

The Minister considering, however, that the time allowed Mr. Blackeby was not sufficient to permit of his making thorough enquiries into the state of the factories in all parts of the Dominion, and that in order to get full information further assistance should be obtained, he, the Minister, entered into correspondence with Hon. Edward Willis, of St. John, N.B., and desired him to collect statistics, with reference to the factories in the Maritime Provinces, similar to those Mr. Blackeby was making in Ontario and Quebec, and report to the Government the results of such enquiries on or before the 1st day of January next.

The Minister, therefore, recommends that Hon. Edward Willis be appointed, on behalf of the Government, to procure information as to the manufacturing industries in existence in the Maritime Provinces of the Dominion of Canada, as regards the number of persons employed, the amount of capital invested, the output thereof, the date of establishment, and the progress of the several factories, and all such further particulars as will be of use in aiding the Government in legislating with reference to the same, and that he be paid the sum of \$5 a day for his services, from the 10th of June last, until the date of his rendering his report, such report to be rendered on or before the 1st day of January next.

JOHN J. MCGEE, *Clerk, Privy Council.*

FINANCE DEPARTMENT, OTTAWA, 23rd September, 1884.

SIR,—I have the honor to inform you that, by an Order in Council passed on the 4th instant, you were appointed, on behalf of the Government of the Dominion of Canada, to procure information as to the manufacturing industries in existence in the Maritime Provinces of the Dominion, as regards the number of persons employed, the amount of capital invested, the output thereof, the date of establishment, and the progress of the several factories, and such further particulars as will be of use to the Government in connection with legislating with reference to the same, and to render a report thereon to the Government on or before the 1st day of January next.

I have, &c.,

J. M. COURTNEY, *Deputy Minister of Finance.*

HON. EDWARD WILLIS, St. John, N. B.

The undersigned has the honor to report to Council that Messrs. A. H. Blackeby and Edward Willis were appointed by Order in Council to collect certain statistics with reference to factories in the Dominion, and to report thereon on or before the 1st day of January instant.

The undersigned has now the honor to recommend that the time for making the said reports be extended to the 1st day of February next, the gentlemen to receive, during the extended time, the same rate of remuneration as is allowed by the Orders in Council appointing them, respectively.

Respectfully submitted,

S. L. TILLEY, *Minister of Finance.*

FINANCE DEPARTMENT, OTTAWA, 19th January, 1885.

(P. C. No. 92.)

*CERTIFIED COPY of a Report of a Committee of the Honorable the Privy Council, approved by his Excellency the Governor General in Council on the 23rd January, 1885.*

On a report dated 19th January, 1885, from the Minister of Finance, representing that Messrs. A. H. Blackeby and Edward Willis were appointed to collect certain



statistics with reference to factories in the Dominion, and to report thereon on or before the 1st January, 1885:

The Minister recommends that the time for making the said reports be extended to the 1st February next, and that they receive, during the extended time, the same rate of remuneration as is authorized by the Order in Council appointing them, respectively.

The Committee submit the same for Your Excellency's approval.

JOHN J. MCGEE, *Clerk, Privy Council.*

To the Honorable the Minister of Finance.

## REPORT OF A. H. BLACKEBY ON THE STATE OF THE MANUFACTURING INDUSTRIES OF ONTARIO AND QUEBEC.

*To His Excellency the Governor General in Council:*

I have the honor to report that, in accordance with instructions contained in an Order in Council dated 5th May, 1884, a large number of manufacturing industries of the Provinces of Ontario and Quebec have been visited by me, and statistics obtained as to their progress and general development since the change was made in the fiscal policy of the Dominion.

That the general result of that change has proved decidedly beneficial to manufacturing industries there is now no dispute, and is fully borne out by the figures herewith submitted. It is true that, in some industries, the privileges of supplying the Canadian market for manufactured goods with the produce of our own mills has been too largely taken advantage of by capitalists anxious to put their money to a profitable use, and in this way the market (which, although a growing one, has its limits) was, for a time, unduly stocked with these classes of goods. This was but natural, when it is considered how limited a knowledge manufacturers had of the wants of the Canadian public.

Up to 1879 Canadian markets had been very largely supplied from foreign sources, and it was, therefore, to some extent, a groping in the dark with home manufacturers as to how much of any particular article could find a market in the Dominion. The difficulty consisted in the fact that they could not possibly know enough of the consuming powers of the Dominion to produce just as much and no more than the people required. That knowledge had to be gained by experience. At this time of writing, producers have learned, in most branches of manufactures, just what is called for by the consuming public, and just how much of any particular class of goods can be profitably disposed of. In consequence of this better perception of the true state of affairs, changes have been and are continually being made in the class of goods produced, and it is now a question of but a very short time when, having a thorough knowledge of the requirements of our people, manufacturers in Canada will be prepared to supply, through the labor of our own mechanics and operatives, all the demands of the market, at a profit alike to themselves and the districts in which they are located. Although, however, the Government has done so much towards aiding the development of all branches of manufactures, there still remains the fact that all manufactures are not on an equality, in the respect that it was found, in a number of cases, that railway freight rates were a more serious charge on the product of one locality and one or more classes of goods than in another, and, as a consequence, those localities and manufacturers were, from this cause, placed at a disadvantage. It is claimed, too, that discriminatory rates in favor of through traffic have, to some extent, prevented a fuller development of home manufactures. Some firms have gone to considerable expense to open up an export trade, but found that freight rates effectually prohibited any thought of such a business being done at a profit. In other cases, where goods were small in bulk, an export trade is now steadily developing itself, in spite of all the difficulties of freight and high duties. Saws of Canadian manufacture may now be seen in the woods of Michigan and Wisconsin, and when it is considered that but a few years ago a large portion of the saws used in our own forests were brought from the United States, it must be conceded that men having

the skill, energy and enterprise which is displayed by Canadian manufacturers, in thus carrying the industrial war into the enemy's camp, are worthy of encouragement at the hands of the Government. It also proves that without the home trade being first obtained it is impossible to do a business in exports. Up till 1879, in this trade the tendency was towards a lessened production here and larger importations from the United States, but the high duties at once changed the current. The home trade was soon in the hands of Canadian makers, and now they are actually exporting goods to the same country from which the articles were formerly imported.

The business of manufacturing musical instruments is another case in point, as will be seen by the figures submitted. With reference to this trade it was, prior to the change in the tariff, a very insignificant one. A few of the common, cheap instruments were being made, but only on a very limited scale, and it was a hard struggle for the makers to exist against the unfair competition they had to encounter with foreign manufacturers; but as soon as efficient protection was afforded against outside competitors the trade increased surprisingly. In place of inferior made instruments, Canadian manufacturers are now turning out organs and pianos which are a credit alike to themselves and the country they are made in. Prior to the change in the fiscal policy, the Canadian trade was almost entirely in the hands of American manufacturers; now at least 70 per cent. of the trade of Ontario and 50 per cent. of the trade of Quebec is done by Canadian makers, and it is only owing to the prejudice which, to some extent, still exists in favor of United States made instruments, that a larger proportion of the field is not occupied by Canadians. In this trade a very successful export business has been opened up. Organs largely, and pianos to a limited extent, made in the Dominion are now being sent to Great Britain, Germany, Russia and Australia, and the trade, with a little encouragement, is capable of being largely developed.

Other information gathered with reference to particular industries will be found under the heading of statistics applying to those industries. It must not be supposed that the statistics given are the total figures of any particular class of work, or any particular section of Ontario or Quebec. In the limited time given, only sufficient factories could be visited to give a proper idea of how the general state of trade was in the several classes and the various districts. Many towns having large industrial works have not been visited at all; for instance, Almonte, which may almost be considered as the seat of the woollen trade in Canada, was not visited, owing to lack of time, and other large industrial towns do not figure in this report. In some few of the larger industries, proprietors and managers refused to give the information sought. This was partly owing to a fear that the figures given would be published with reference to each particular factory, and, although assured that the figures with reference to any particular industry would be considered strictly confidential and would only be used after such a compilation as would effectually prevent the details of any single factory from being observed, they still refused to give the figures asked for. For these reasons it must be distinctly understood that only a certain proportion of the manufacturing industries of each class and each district are given in the tables embodied in this report.

In the first table the statistics are given as arranged into cities and towns, and the plan has been adopted of giving each place separately that furnished figures for five or more industries. Where that number has not been visited in any one place, contiguous towns are joined together, except in two or three instances, where only one or two industries in each place are given, and in these cases the whole have been massed together.

The figures given are: First, the number of men employed; second, the amount paid out in the aggregate in wages during the year; third, the amount in value of the output during the year; and fourth, the capital invested in the manufacturing business. These figures are first given for the year 1878, and then for the twelve months preceding the date of the visit. This necessarily gives a different year according to the date of the visit. In some cases the last year will be from



June, 1883, to June, 1884; in others, from October, 1883, to October, 1884, and so on; while in the case of the later visits the figures will be for the whole of the year 1884. It may be mentioned, also, that the value of the product in money does not represent the whole of the increase which has taken place during the two periods. Prices are so much lower now in most cases that a like production in value would mean from 10 to 15 per cent. difference in bulk, so that that amount should properly be added, in order to give the exact increase in the volume of the manufacturing business done in the latter year.

Another point which must be understood is, that factories which were in existence some years prior to 1879, but were closed down in 1878, are given as new industries, such, for instance, as the sugar refineries in Montreal, the bridge works and rolling mills at Hamilton, and others. Then there are a few industries which started so late in 1878 that they had no production for that year, which are also classed with the new establishments; but there are not more than one or two of these, as the bulk of the factories which started in 1878 are given by themselves at the end of the report. There are also a small number of factories which, although they were established before 1879, were unable to give figures for 1878, by reason of the books having been destroyed by fire, or the business having changed hands during the intervening years, or some other like circumstance. These are also given by themselves at the end of the report.

The places and the factories visited, with the date of their establishment and the nature of their business, are first given, and the compilation immediately following.

Name of Place.	Name of Firm.	Class of Work.	When Established.
Montreal .....	Canada Sugar Refining Co. (Limited) .....	Sugar refining .....	1879
do .....	St. Lawrence Sugar Refining Co. (Limited) .....	do .....	1879
do .....	Belding, Paul & Co. ....	Silk threads and ribbons .....	1876
do .....	John Auld .....	Cork cutting .....	1872
do .....	Jos. Lamouroux .....	Blacking .....	1877
do .....	John Jamieson .....	Varnishes .....	1866
do .....	A. Ramsay & Son .....	Paints .....	1874
do .....	S. H. & A. S. Ewing .....	Spices .....	1859
do .....	W. D. McLaren .....	Baking powder .....	1860
do .....	Alex. Wills & Co .....	Spices and coffees .....	1874
do .....	Bargeau & Herron .....	do .....	1871
do .....	Pinkerton & Co .....	Boots and shoes .....	1880
do .....	Codeire & Lavigne .....	do .....	1884
do .....	Victor Hudon Cotton Mills Co. ....	Cotton .....	1874
do .....	Merchants' Manufacturing Co .....	do .....	1882
do .....	St. Ann's Cotton Spinning Co. ....	do .....	1882
do .....	Dupont & Tardif .....	Boots and shoes .....	1883
do .....	A. St. Jean & Co .....	do .....	1883
do .....	Michaud & Broulette .....	do .....	1884
do .....	Sharpe & McKinnon .....	do .....	1880
do .....	James Linton & Co .....	do .....	1859
do .....	Amos Holden & Co .....	do .....	1853
do .....	M. C. Mullarky .....	do .....	1858
do .....	Fogerty & Brother .....	do .....	1864
do .....	Thompson & Co .....	do .....	1883
do .....	W. T. Fanman .....	Wire mattresses .....	1881
do .....	Dominion Tubular Lamp Co .....	Lamps .....	1883
do .....	Garth & Co .....	Iron and brass goods .....	1828
do .....	Dominion Type Foundry Co .....	Type .....	1874
do .....	C. Chanteloup .....	Lamps .....	1862
do .....	R. Mitchell & Co .....	Brass goods .....	1851
do .....	R. Cuthbert & Son .....	do foundry .....	1860
do .....	Major Manufacturing Co .....	Wire goods .....	1876
do .....	R. & W. Warminton .....	Tin stamping works .....	1851
do .....	Papin & Corbeil .....	Boots and shoes .....	1870
do .....	Lalanne & Blanchet .....	do .....	1872
do .....	Z. Lapierre .....	do .....	1854
do .....	J. T. Peltier .....	do .....	1869
do .....	Robert McCready .....	do .....	1877

Name of Place.	Name of Firm.	Class of Work.	When Established.
Montreal.....	D. C. Brousseau & Co.....	Spices and coffees.....	1880
do .....	Wm. Johnson & Co.....	Paints, &c.....	1880
do .....	Mount Royal Milling Co.....	Hulling rice.....	1882
do .....	Canada Fibre Co.....	Comforters, curled hair, &c.....	1881
do .....	Canada Jute Co.....	Bags.....	1882
do .....	J. C. Watson.....	Wall paper.....	1879
do .....	Besette, Lefort & Co.....	Suspenders.....	1884
do .....	H. Shorey & Co.....	Clothing.....	1866
do .....	J. W. Mackenzie.....	do .....	1864
do .....	International Co.....	Hoop skirts and bustles.....	1883
do .....	Montreal Suspender Co.....	Suspenders.....	1882
do .....	Cree, Auld & Co.....	Shirts, collars and cuffs.....	1883
do .....	Turner Bros.....	Suspenders.....	1879
do .....	Steinberg, Lightstone & Co.....	Hats and silk hats.....	1879
do .....	Levy, Mills & Co.....	Hats and furs.....	1884
do .....	D. Schwersenski.....	do .....	1880
do .....	Canada Corset Co.....	Corsets.....	1881
do .....	Jas. O'Brien.....	Clothing.....	1858
do .....	J. S. Evans & Co.....	do .....	1845
do .....	Huston, Fisher & Co.....	do .....	1876
do .....	A. H. Sims & Co.....	Shirts and collars.....	1876
do .....	L. Geraedinger.....	Furs.....	1851
do .....	Victoria Straw Works.....	Straw and felt hats.....	1874
do .....	M. Malone.....	Buckskin and kid gloves.....	1866
do .....	Greene & Sons.....	Hats, caps and furs.....	1834
do .....	Silverman, Boulton & Co.....	do .....	1872
do .....	Jas. Coristine & Co.....	Furs and hats.....	1854
do .....	M. Vineberg.....	Hats, caps and furs.....	1876
do .....	J. Z. Desormeau.....	Gloves.....	1868
do .....	D. Ritchie, Dominion Tobacco Works.....	Tobacco.....	1868
do .....	J. M. Fortier.....	Cigars.....	1878
do .....	S. Davis & Son.....	do .....	1862
do .....	Z. Davis.....	do .....	1865
do .....	M. Lefils & Co.....	Brooms.....	1880
do .....	James Leslie.....	Card clothing.....	1881
do .....	Harris, Henan & Co.....	Leather belting.....	1884
do .....	Robin & Saddler.....	do .....	1859
do .....	Porter & Savage.....	Tannery.....	1864
do .....	J. C. McLaren.....	Milk supplies.....	1856
do .....	Heney & Lacroix.....	Buggy tops.....	1875
do .....	Geo. Barrington & Son.....	Trunks.....	1852
do .....	J. Eveleigh & Sons.....	do .....	1844
do .....	Canada Cordage Co.....	Rope.....	1825
do .....	Normandin & Prance.....	Brushes.....	1877
do .....	Montreal Woollen Mills Co.....	Woollen goods.....	1879
do .....	Montreal Blanket Co.....	Shoddy and horse blankets.....	1881
do .....	J. R. McLaren.....	Toy carriages.....	1880
do .....	W. C. Lawless & Co.....	Printers' material.....	1881
do .....	H. Goodrich.....	Lasts.....	1878
do .....	Jas. Lutterell & Co.....	Confectionery and biscuits.....	1868
do .....	Alphonse Labelle.....	do .....	1862
do .....	C. Fitts & Co.....	Biscuits and bread.....	1827
do .....	Veau et frere.....	biscuits, &c.....	1869
do .....	Jas. McCready & Co.....	Boots and shoes.....	1864
do .....	Geo. T. Slater.....	do .....	1869
do .....	J. Whitham & Co.....	do .....	1854
do .....	R. Smardon.....	do .....	1872
do .....	Parent, Codiere & Co.....	do .....	1872
do .....	D. De Latour.....	do .....	1864
do .....	J. A. Rolland & Co.....	do .....	1864
do .....	Cochrane, Cassels & Co.....	do .....	1854
do .....	Robert White.....	Shoe-bottom stock.....	1874
do .....	J. & T. Bell.....	Boots and shoes.....	1814
do .....	Thos. Davidson & Co.....	Tin and stamping ware.....	1869
do .....	T. L. Clarke.....	Nickel plating.....	1879
do .....	F. Weir & Co.....	Lamps.....	1881
do .....	Simpson, Hall, Miller & Co.....	Silver plating.....	1879
do .....	Rice, Miller & Co.....	Paper boxes and paper collars.....	1831
do .....	Colin McArthur & Co.....	Wall paper.....	1884
do .....	L. D. Sims & Co.....	Paper boxes.....	1879



Name of Place.	Name of Firm.	Class of Work.	When Established.
Montreal.....	Dominion Leather Board Co.....	Leather board.....	1873
do .....	Bennett & Co. ....	Paper bags.....	1877
do .....	T. Orevier .....	Stoves and castings.....	1871
do .....	Major Manufacturing Co. ....	Paper boxes.....	1835
do .....	P. Amesse .....	Castings.....	1863
do .....	Rogers & King.....	do .....	1852
do .....	Day, Deblois & Co.....	do .....	1870
do .....	W. Clendening.....	Stoves and castings.....	1834
do .....	John Findlay .....	Stoves.....	1872
do .....	Malleable Iron Works.....	Malleable iron .....	1875
do .....	John McDougall & Co. ....	Car-wheels.....	1862
do .....	Moses Parker.....	Castings.....	1894
do .....	P. Catelli .....	do .....	1883
do .....	Hollow-ware Co. ....	Hollow-ware .....	1881
do .....	H. J. Shaw & Co. ....	Furniture .....	1859
do .....	Noll & Farland.....	do .....	1869
do .....	Labelle, Bonin & Co.....	do .....	1880
do .....	Robt. Gardner & Son .....	Machinery.....	1850
do .....	J. & R. Weir .....	Machinists and engineers.....	1876
do .....	S. J. Brisette.....	Machinery.....	1872
do .....	Kiefer Bros.....	do .....	1875
do .....	Miller Bros. & Mitchell .....	do .....	1869
do .....	B. J. Pittenar .....	do .....	1864
do .....	John McDougall .....	do .....	1852
do .....	George Brush .....	Steam-engine boilers.....	1820
do .....	J. Laurie & Bro.....	Engine and mill machinery.....	1871
do .....	P. K. Dederick & Co .....	Hay presses.....	1875
do .....	Williams Sewing Machine Co.....	Sewing machines.....	1863
do .....	Singer Manufacturing Company (Limited)	do .....	1883
do .....	J. A. McMartin & Co.....	Pumps, &c.....	1879
do .....	Andrew Young.....	Machinery.....	1879
do .....	John W. Smith.....	Threshers, &c.....	1854
do .....	C. S. Radier.....	Threshers and powers.....	1842
do .....	Legriss & Co.....	Threshers.....	1880
do .....	B. L. Olds & Co .....	Threshers and powers.....	1881
do .....	Canada Cutlery Co. ....	Cutlery .....	1883
do .....	Keystone Spring and Watch Works.....	Steel springs.....	1883
do .....	G. H. Kendall .....	Gas and oil stoves.....	1879
do .....	Abbott & Hodgson.....	Nails and spikes.....	1883
do .....	Thos. Hocking.....	Dies.....	1866
do .....	Jas. Robertson.....	Saws and lead pipe.....	1859
do .....	W. C. White.....	Boilers .....	1860
do .....	H. H. Warren .....	Hammers .....	1867
do .....	G. Gilmore.....	Augers and bits .....	1855
do .....	Frothingham & Workman.....	Spades, &c.....	1855
do .....	J. Dunn .....	Nails .....	1855
do .....	G. Chapleau.....	Safes.....	1869
do .....	Jno. McIntosh & Son.....	Railroad supplies.....	1862
do .....	H. B. Warren & Co.....	Scales .....	1834
do .....	C. D. Edwards.....	Safes, vault doors, &c.....	1859
do .....	Montreal Axe Works.....	Axes, picks, &c.....	1859
do .....	H. R. Ives & Co.....	Stoves, castings, &c.....	1859
do .....	Montreal Saw Works.....	Saws.....	1854
do .....	G. Outram & Son .....	New tiles.....	1871
do .....	Union Nail Works.....	Nails, spikes.....	1852
do .....	Pillow, Hersey & Co.....	Tacks, &c.....	1868
do .....	B. J. Coghlin.....	Springs, axles, &c.....	1876
do .....	Gould Bros .....	Cigars .....	1881
do .....	De Sola Bros. & Ascher .....	do .....	1854
do .....	Adams Tobacco Co.....	Tobacco.....	1870
do .....	R. Cuthbert & Son.....	Brass goods.....	1860
do .....	J. Goden .....	Felt hats.....	1874
do .....	Tooke Bros .....	Shirts, collars, &c.....	1871
do .....	McDougall, Logie & Co.....	White lead, &c.....	1876
do .....	Dominion Oilcloth Co.....	Floor oilcloth.....	1872
do .....	F. P. Harris.....	Hats, caps.....	1875
do .....	R. C. Jamieson & Co .....	Varnishes and japans.....	1858
do .....	North American Glass Co.....	Flint and green glass.....	1876
do .....	Baylis Manufacturing Co.....	Varnishes, &c.....	1866
do .....	Dominion Bridge Co.....	Iron bridges.....	1883

Name of Place.	Name of Firm.	Class of Work.	When Established.
Montreal.....	W. Clark.....	Prepared meats.....	1878
do .....	Cornelius Brady.....	Paper boxes.....	1878
do .....	L. O. Groté.....	Cigars.....	1878
do .....	G. Fisschel & Co.....	do .....	1878
Toronto.....	St. Lawrence Foundry Co.....	Iron pipes and castings.....	1851
do .....	Toronto Stove and Manufacturing Co.....	Stoves.....	1834
do .....	Toronto Hardware Manufacturing Co.....	Ornamental iron work.....	1880
do .....	The E. & C. Gurney Co. (Limited).....	Stoves.....	1868
do .....	Robt. Hay & Co.....	Furniture.....	1834
do .....	T. W. Hodwey.....	do .....	1882
do .....	Clarke, Harris & Co.....	Upholstering.....	1881
do .....	The John Doty Engine Co.....	Gas & steam engine & boilers.....	1874
do .....	Inglis & Hunter.....	Machinery.....	1857
do .....	John Turner & Son.....	do .....	1850
do .....	Northey & Co.....	Hydraulic machinery.....	1881
do .....	Wm. Polson & Co.....	Machinery.....	1882
do .....	Massey Manufacturing Co.....	Agricultural implements.....	1847
do .....	Dominion Bridge Co.....	Iron Bridges.....	1879
do .....	C. Wilson & Son.....	Scales.....	1851
do .....	J. & J. Taylor.....	Safes and vault doors.....	1855
do .....	Jas Robertson & Co.....	Saws, lead pipe, &c.....	1871
do .....	D. Plews.....	Pump and windmills.....	1868
do .....	R. McLeary.....	Cigars.....	1874
do .....	Spilling Bros.....	do .....	1862
do .....	W. C. Dobson.....	do .....	1868
do .....	Charlesworth & Co.....	Boots and shoes.....	1874
do .....	Wood Bros.....	Cigars.....	1881
do .....	Universal Knitting Co.....	Hosiery.....	1880
do .....	Jos. Simpson.....	Knitted goods.....	1865
do .....	Ontario Brush Factory.....	Brushes.....	1880
do .....	H. E. Clark & Co.....	Trunks, &c.....	1854
do .....	Charles Bolckh & Son.....	Brushes and brooms.....	1856
do .....	D. Conboy.....	Carriage tops.....	1877
do .....	Standard Woollen Mills.....	Blankets, &c.....	1882
do .....	William Dooling.....	Picture frames.....	1879
do .....	Ewing & Co.....	Mouldings, &c.....	1862
do .....	Cobban Manufacturing Co.....	Picture frames, glass silvering.....	1874
do .....	W. Millichamp & Co.....	Show cases, &c.....	1859
do .....	Matthews Bros. & Co.....	Mouldings, &c.....	1861
do .....	Dominion Show Case Manufacturing Co.....	Store fittings and show cases.....	1884
do .....	William Hessin.....	Confectionery and biscuits.....	1864
do .....	R. & J. Watson.....	do .....	1873
do .....	Christie, Brown & Co.....	Biscuits, &c.....	1856
do .....	Robertson Bros.....	Confectionery.....	1863
do .....	Mills & Kiscock.....	do .....	1883
do .....	William Thurston.....	Boot and shoe uppers.....	1877
do .....	F. J. Weston & Sons.....	Boots and shoes.....	1875
do .....	Turner, Valiant & Co.....	do .....	1881
do .....	Cooper & Smith.....	do .....	1852
do .....	J. D. King & Co.....	do .....	1869
do .....	Douglas Bros.....	Galvanized iron ware.....	1872
do .....	The McDonald Manufacturing Co.....	Tinware.....	1875
do .....	R. J. Quigley.....	Watch cases.....	1873
do .....	Thomas McDonald.....	Tin stamping.....	1867
do .....	A. J. Somerville.....	Barb wire, lead pipe, &c.....	1877
do .....	Toronto Silverplating Co.....	Silver plating.....	1881
do .....	George V. Martin.....	Plated ware.....	1880
do .....	M. Staunton & Co.....	Wall paper.....	1857
do .....	Ontario Paper Box Co.....	Paper boxes.....	1870
do .....	H. McAdam.....	do .....	1869
do .....	Dominion Paper Box Co.....	do .....	1880
do .....	Wagner, Zeidler & Co.....	Piano keyboard and organ.....	1879
do .....	Mason & Risch.....	Pianos.....	1877
do .....	S. R. Warren & Son.....	Church organs.....	1836
do .....	R. S. Williams & Son.....	Pianos.....	1854
do .....	Heintzman Piano Manufacturing Co.....	do .....	1876
do .....	Heintzman & Co.....	do .....	1871
do .....	Augustus Newell & Co.....	Organ reeds.....	1879
do .....	Octavius Newcombe & Co.....	Pianos.....	1879
do .....	Dominion Stained Glass Co.....	Stained glass.....	1880



Name of Place.	Name of Firm.	Class of Work.	When Established.
Toronto .....	Henry Sugden & Co.....	Preserved fruit and vegetables	1879
do .....	Pencher, Collins & Co .....	Paints .....	1881
do .....	W. J. Sutton & Co.....	Hair cloth.....	1882
do .....	R. Thorne & Co.....	Mattresses .....	1879
do .....	Ontario Comb Co.....	Combs .....	1883
do .....	Hemming Bros .....	Satin, velvet and plush cases	1883
do .....	McFarlane, McKinlay & Co.....	Window shades .....	1879
do .....	P. Freysing & Co.....	Corks.....	1880
do .....	J. Silberstein.....	Wringers, &c.....	1880
do .....	W. & J. G. Greig .....	Mill supplies .....	1877
do .....	Ontario Straw Goods Manufacturing Co...	Straw and felt hats.....	1864
do .....	Gillespie, Ansley & Martin .....	Furs .....	1862
do .....	Alex. A. Allan & Co .....	Furs and cloth and lamb caps	1877
do .....	Gale Manufacturing Co.....	Shirts, collars, cuffs, &c.....	1863
do .....	R. H. Gray & Co.....	Hoop skirts, overalls, &c.....	1862
do .....	Thomas Lailey & Co .....	Clothing .....	1814
do .....	A. Friendly & Co.....	Shirts, overalls, &c.....	1876
do .....	Crompton Corset Co.....	Corsets, bustles, &c.....	1874
do .....	T. Kphstein & Co .....	Clothing .....	1876
do .....	Williams, Greene & Rousé.....	Shirts, collars, cuffs .....	1881
do .....	W. H. Williams & Co.....	Bows .....	1880
do .....	Phail, Hewitt & Co.....	Furs .....	1879
do .....	Telfer Harold Manufacturing Co.....	Corsets, braces, hoop skirts...	1879
do .....	Livingstone, Johnston & Co.....	Clothing .....	1867
Hamilton .....	E. & C. Gurney Manufacturing Co.....	Stoves, &c.....	1843
do .....	Laidlaw Manufacturing Co.....	Stoves, furnaces, &c.....	1855
do .....	D. Moore & Co.....	Tinware and stoves .....	1839
do .....	James Stewart & Co .....	Stoves, grates, &c.....	1845
do .....	Burrow, Stewart & Milne .....	Stoves, scales, &c.....	1864
do .....	Olmstead Bros .....	Castings .....	1873
do .....	Alex. Gartshore .....	Iron pipe and castings .....	1870
do .....	Bowes, Jamieson & Co.....	Stoves, furnaces, &c.....	1884
do .....	J. M. Williams & Co.....	Tinware .....	1871
do .....	J. Hoodles & Son.....	Furniture .....	1850
do .....	R. A. Allardice & Co.....	do .....	1880
do .....	J. Zingsheim .....	do .....	1879
do .....	G. C. Morrison .....	Machinery .....	1870
do .....	Reid & Barr .....	do .....	1840
do .....	Dunlop & Leart .....	Sewing machines .....	1869
do .....	Gardner Sewing Machine Co.....	do .....	1870
do .....	L. D. Sawyer & Co .....	Agricultural implements.....	1836
do .....	American Nail Works Co.....	Nails, spikes, &c.....	1879
do .....	Ontario Rolling Mills.....	Railway supplies.....	1879
do .....	Hamilton Bridge and Tool Co.....	Iron bridges .....	1879
do .....	S. J. Moore.....	Tinners' and canners' tools .....	1872
do .....	Iron Forging Co.....	Railway axles .....	1876
do .....	Leitch & Turnbull.....	Elevators.....	1864
do .....	Gurney & Ware .....	Scales.....	1857
do .....	Bayley & Dempster .....	Saddlers' hardware .....	1869
do .....	F. Schwarz .....	Cigars .....	1854
do .....	F. J. Schraeder .....	do .....	1854
do .....	Reid, Goering & Co.....	do .....	1879
do .....	F. W. Hare & Co.....	Wheels and wheel material...	1873
do .....	Z. Pattison .....	Biscuits, &c.....	1846
do .....	I. C. Chillman .....	Biscuits, confectionery, &c...	1850
do .....	Orr, Harvey & Co.....	Boots and shoes .....	1880
do .....	John Garrett & Co.....	do .....	1863
do .....	Wm. Silver, jun.....	do .....	1874
do .....	John McPherson & Co.....	do .....	1859
do .....	B. Greening & Co.....	Wire goods .....	1859
do .....	Young Bros .....	Chandeliers, &c.....	1881
do .....	J. H. Stone .....	Bird cages .....	1873
do .....	Meriden Britannia Co.....	Silver plated ware .....	1879
do .....	J. D. Mills & Co.....	Paper boxes, bags, &c.....	1875
do .....	J. R. McKichan .....	Paper bags, &c.....	1866
do .....	Chas. Smith, jun.....	Paper boxes, bags, &c.....	1882
do .....	C. L. Thomas .....	Pianos .....	1859
do .....	J. & R. Kilgour .....	Organs .....	1881
do .....	Hart Emery Wheel Co.....	Emery wheels .....	1880
do .....	Canada Clock Co.....	Clocks .....	1881

Name of Place.	Name of Firm.	Class of Work.	When Established.
Hamilton	Standard Whip Co.	Whips	1882
do	Hamilton Industrial Works	Wringers and mangels	1879
do	Burlington Glass Works	White glassware	1877
do	Hamilton do	Bottles and green glassware	1864
do	Morgan Bros.	Whips	1872
do	Hamilton Whip Co. (Limited)	do	1872
do	G. D. Hawkins & Co.	Shirts, cuffs, &c.	1873
do	W. H. Glasco & Son	Straw cloth and furs	1843
do	Dominion Hat Co	Fur and felt hats	1881
do	American Suspender Co.	Suspenders	1884
do	Dominion Suspender Manufacturing Co.	do	1882
do	Hamilton Straw Works	Straw hats	1880
do	John Calder & Co.	Clothing	1872
do	W. E. Sanford & Co.	do	1864
do	Ontario Cotton Mills Co.	Cotton goods	1881
do	Hamilton Cotton Co.	do	1880
Quebec	Chas. Bellerive	Gloves	1880
do	Beaudet & Chénic	Mill stones	1842
do	H. Griffith	Boots and shoes	1880
do	John Ritchie	do	1879
do	St. Pierre & Clapin	do	1883
do	Marsh & Polley	Boots and shoes	1882
do	O. Begin & Co.	do	1882
do	P. I. Boivin	do	1884
do	J. H. Botterill & Co.	do	1877
do	O. Migner	do	1871
do	G. Bresse	do	1864
do	W. McWilliam	Confectionery	1857
do	O. Emond	Planes and boxes	1870
do	Edson, Fitch & Co.	Match splints	1870
do	Riverside Worsted Co.	Dress goods and yarns	1881
do	J. H. Brown & Co.	Rope	1859
do	Whitehead & Turner	Brooms and brushes	1867
do	B. Houde & Co.	Tobacco	1862
do	Beaudet & Chénic	Nails	1842
do	Quebec Manufacturing Co.	Agricultural implements	1881
do	F. X. Disbet	Foundry	1875
do	A. Learmouth & Co.	Machinery	1855
do	Bissett Bros.	do	1853
do	Carrière, Lane & Co.	do	1864
do	Drum Furniture Co.	Furniture	1868
do	C. Terreau	Foundry	1844
do	Demers & Rivier	do	1861
do	David, Darvill & Co.	do	1861
do	Forest City Machine Works	Engines	1872
do	W. J. Thompson	Carriages	1861
do	J. Gouinlock & Co.	Hats and caps	1882
do	R. C. McFee & Co.	Caps and furs	1874
do	Evans Bros.	Pianos	1881
do	Globe Lightning Rod Co.	Rods and barb wire	1878
do	Essex, Dunn & Co.	Brass work	1880
do	C. S. Hymen & Co.	Boots and shoes	1854
do	J. C. Merritt & Co.	do	1869
do	D. S. Perrin & Co.	Biscuits and confectionery	1864
do	McCormack Manufacturing Co.	do	1858
do	Dominion Baby Carriage Co.	Baby carriages	1881
do	John Campbell	Carriages	1848
do	Ontario Car Co.	Railway cars	1871
do	J. M. Dufton	Woollen factory	1881
do	Hobbs & Lord	Brooms and whisks	1875
do	Thomas Bryan	Brushes	1872
do	J. Fox	Scales	1882
do	Jos Grove	Safes and locks	1884
do	McPherson & Lindsay	Agricultural implements	1859
do	John Elliott & Son	do	1850
do	North American Manufacturing Co.	do	1869
do	London Machine Tool Co.	Iron working tools	1882
do	E. Leonard & Sons	Engines and boilers	1834
do	Bennett Furnishing Co.	Furniture	1864
do	London Furniture Co.	do	1872



Name of Place.	Name of Firm.	Class of Work.	When Established.
London.....	J. Ferguson .....	Furniture.....	1869
do .....	Wm. Hinton .....	do .....	1875
do .....	McCleary Manufacturing Co.....	Stoves.....	1852
do .....	John Elliott & Son .....	Ploughs.....	1882
do .....	Wortman & Ward .....	Iron pumps and foundry work .....	1882
Kingston.....	Cotton Manufacturing Co.....	Cotton goods.....	1882
do .....	Oilcloth Co .....	Oilcloth.....	1884
do .....	Stevenson & Co.....	Pianos.....	1880
do .....	G. M. Weber & Co.....	do .....	1862
do .....	J. O. Gardiner & Co.....	Biscuits.....	1880
do .....	H. & W. J. Crothers.....	Biscuits and confectionery ...	1869
do .....	Benjamin Baillie & Co.....	Brooms.....	1859
do .....	Kingston Hosiery Co .....	Knitted goods.....	1879
do .....	S. Oberndorfer .....	Cigars .....	1861
do .....	Wm. Presnail .....	do .....	1883
do .....	D. McEwan & Co.....	Engines and boilers.....	1867
do .....	B. H. Carnovsky .....	Cabinet work .....	1884
do .....	Davidson, Doran & Co.....	Foundry.....	1843
do .....	Chown & Cunningham .....	Stoves .....	1869
Brantford.....	The Craven Cotton Mill.....	Cotton goods.....	1880
do .....	W E. Welding .....	Pottery .....	1849
do .....	Wm. Patterson.....	Biscuits and confectionery...	1863
do .....	M. Malcolm & Son.....	Woollen goods.....	1869
do .....	Wm. Slingsby & Sons.....	do .....	1875
do .....	W. Kitchener.....	Cigars .....	1863
do .....	Alex. Fair .....	do .....	1873
do .....	H. B. Gardiner .....	do .....	1883
do .....	M. K. Halloran .....	do .....	1883
do .....	Cockshutt Plow Co .....	Plows .....	1878
do .....	A. Harris, Son & Co. (Limited) .....	Agricultural implements .....	1861
do .....	J. O. Wisner, Son & Co.....	do .....	1857
do .....	Waterous Engine Works Co.....	Engines and machinery .....	1844
do .....	Wm. Buck .....	Stoves .....	1858
do .....	B. G. Tisdale.....	do .....	1850
Guelph.....	T. James & Co.....	Organs .....	1881
do .....	Sweetman & Haylston .....	Pianos .....	1883
do .....	W. Bell & Co.....	Organs .....	1864
do .....	J. & A. Armstrong & Co. ....	Carpets .....	1874
do .....	McCrae & Co.....	Knitted goods .....	1866
do .....	Carriage Goods Co.....	Iron carriage work.....	1868
do .....	T. Pepper & Co.....	Axles .....	1878
do .....	Tolton Bros.....	Plows and harrows .....	1875
do .....	Thos. Gowdy & Co.....	Agricultural implements .....	1876
do .....	Sewing Machine and Novelty Works .....	Sewing machines .....	1869
do .....	Chas. Raymond .....	do .....	1861
do .....	Burr Bros.....	Furniture .....	1872
do .....	Griffin & Grundy.....	Stoves .....	1882
Brockville.....	Jas. Hall & Co.....	Gloves .....	1866
do .....	Bush & McCormack .....	Dye-woods .....	1869
do .....	Canada Powder Co.....	Nitro-glycerine .....	1882
do .....	Venture Powder Co.....	do .....	1882
do .....	Harding & Sheriff.....	Wringers, bicycles, &c.....	1880
do .....	J. J. Mansell .....	Organs .....	1881
do .....	Grant, Abbott & Buell.....	Biscuits and confectionery ...	1849
do .....	B. W. Richards .....	Small hardware .....	1880
do .....	Smart & Shepherd .....	Pumps, lawn-mowers, &c. ....	1868
do .....	J. W. Mann Manufacturing Co .....	Seeders, harrows, &c.....	1879
do .....	G. M. Cossitt & Bro .....	Agricultural implements .....	1859
do .....	Jas. Smart Manufacturing Co.....	Stoves and builders' hardware .....	1855
do .....	Black Bros .....	Foundry.....	1874
Galt.....	McGregor, Gourlay & Fontaine .....	Pins .....	1884
do .....	Galt Felt Co.....	Felt boots.....	1883
do .....	Victoria Wheel Co.....	Carriage wood work.....	1860
do .....	John Wardlaw .....	Yarns .....	1873
do .....	Ellis & Godfrey .....	Woollen goods.....	1848
do .....	Chas. Turnbull .....	Knitted und-relothing .....	1862
do .....	Galt Knitting Co .....	Knitted goods .....	1881
do .....	Galt Edge Tool Works.....	Edge tools & carriage springs .....	1844
do .....	Peter Hay .....	Machine knives .....	1883
do .....	R. McDougall & Co.....	Iron pumps and windmills....	1880

Name of Place.	Name of Firm.	Class of Work.	When Established.
Galt.....	Shinner, Linton & Co.....	Axles .....	1882
do .....	Shurly & Dietrich .....	Saws .....	1874
do .....	Cant, Gourlay & Co .....	Wood working machinery .....	1872
do .....	Cant, Laidlaw & Co.....	do do .....	1882
do .....	Cowan & Co.....	do do .....	1840
do .....	Goldie & McCulloch .....	Engines, machinery, safes .....	1848
Dundas .....	T. Greening & Sons .....	Wire work .....	1864
do .....	J. C. Dixon & Bro.....	Yarns .....	1881
do .....	Dundas Manufacturing Co.....	Woollen goods.....	1884
do .....	S. Lennard & Sons .....	Hosiery .....	1877
do .....	Canada Screw Co. ....	Wood screws and bolts .....	1866
do .....	Gurney Manufacturing Co.....	Agricultural implements .....	1864
do .....	Maw & McFarlane.....	Special machinery .....	1878
do .....	McKechnie & Bertram .....	Iron working machinery .....	1863
do .....	Thos. Wilson .....	Foundry .....	1838
do .....	Dundas Stove Co.....	Stoves.....	1883
Belleville .....	A. E. Fish .....	Shirts .....	1874
do .....	John Lazier .....	Woollen goods.....	1868
do .....	J. Henderson .....	Hosiery .....	1882
do .....	E. Burrell .....	Edge tools.....	1843
do .....	G. & J. Brown .....	Machinery .....	1854
do .....	J. M. Walker & Co.....	Foundry .....	1860
do .....	John G. Frost.....	Furniture.....	1874
do .....	G. S. Tickell & Sons .....	do .....	1858
do .....	Harte & Smith Manufacturing Co.....	Stoves .....	1883
Peterboro' .....	Wm Hamilton do .....	Saw mill machinery.....	1857
do .....	W. H. Law .....	Machinery, pumps, &c.....	1882
do .....	Peter Hamilton .....	Agricultural implements.....	1848
do .....	G. White & Co .....	do .....	1872
do .....	R. Mowry .....	Foundry .....	1844
do .....	W. Forsyth.....	Pumps and windmills.....	1880
do .....	A. W. Brodie .....	Woollen goods.....	1881
do .....	E. B. Wilson .....	do .....	1882
do .....	Auburn Woollen Co.....	do .....	1872
do .....	Ontario Canoe Co.....	Canoes .....	1883
do .....	Geo. W. Hall .....	Biscuits .....	1875
St. Catharines... ..	Whitman & Barnes .....	Reaper knives.....	1870
do .....	R. H. Smith .....	Saws .....	1855
do .....	Welland Vale Manufacturing Co.....	Edge tools.....	1869
do .....	Cotton Batting Co.....	Cotton batting.....	1879
Merriton .....	Lybster Mills .....	Cotton goods.....	1860
do .....	Merriton Cotton Mills Co. (Limited) .....	do .....	1879
do .....	Riordan Paper Mills.....	Paper .....	1867
do .....	Lincoln Paper Mills Co.....	do .....	1878
do .....	Canada Wheel Works.....	Carriage wood work .....	1872
do .....	H. W. Barber.....	Knitted goods.....	1857
do .....	Wm. T. & P. I. Price.....	do .....	1884
do .....	P. & J. Phelps .....	Hammers.....	1881
Thorold .....	Woollen & Cotton Manufacturing Co .....	Knitted goods.....	1882
do .....	Ontario Silver Co.....	Table ware.....	1883
do .....	Felt Goods Co.....	Felt goods .....	1884
Welland.....	M. Beatty & Sons.....	Railroad plant.....	1861
Gananoque.....	O. D. Cowan .....	Wringers.....	1868
do .....	Skinner & Co .....	Hames .....	1834
do .....	Wm. G. Matthews .....	Bicycles .....	1883
do .....	Parmenter & Bullock .....	Rivets, wire nails, &c. ....	1869
do .....	Atkinson & Cowan .....	Corset steels, &c.....	1884
do .....	T. R. Brough.....	Spring beds .....	1883
do .....	Gananoque Carriage Works .....	Carriages.....	1869
do .....	E. Cook .....	Woollen goods.....	1863
do .....	Gananoque Spring Works.....	Carriage springs.....	1864
do .....	do Axle Works.....	Axles .....	1862
do .....	R. P. Colton .....	Blacksmiths' tools.....	1834
do .....	E. E. Abbott.....	Iron working tools.....	1858
do .....	Geo. Gillies .....	Carriage hardware.....	1874
do .....	Cowan & Britton.....	Nails and butts.....	1862
Berlin .....	Brown & Erb .....	Gloves .....	1880
do .....	J. Bingham .....	do .....	1881
do .....	Jacob Y. Shantz & Sons.....	Buttons .....	1870
do .....	E. Oogelsang & Co .....	do .....	1867



Name or Place.	Name of Firm.	Class of Work.	When Established.
Berlin .....	Lauchenslager & Weaver .....	Buttons .....	1880
do .....	Berlin Felt Boot Co. ....	Felt boots .....	1879
do .....	Chas. A. Ahrens .....	Slippers .....	1877
do .....	M. Lintner .....	Toy horses, &c. ....	1867
do .....	Nelson & Co .....	Foundry .....	1874
do .....	King & Hebner .....	Furniture .....	1880
do .....	Simpson & Co .....	do .....	1866
do .....	Brown & Erb .....	Upholstering .....	1867
do .....	J. S. Anthes .....	Baby carriages .....	1872
Waterloo, Ont. ....	Waterloo Manufacturing Co. ....	Woollen goods .....	1874
do .....	A. Merner .....	Plows and threshers .....	1869
do .....	Hoffman, Wagerast & Co .....	Furniture .....	1876
do .....	R. Roschman .....	Buttons .....	1878
Oshawa .....	A. S. Whiting Manufacturing Co. ....	Hoes, scythes, forks, &c. ....	1856
do .....	W. T. Dingle .....	Seed drills, &c. ....	1879
do .....	Coulthard & Scott .....	do .....	1882
do .....	Masson Manufacturing Co. ....	Agricultural implements .....	1875
do .....	R. Luke, Bros. & Co. ....	Furniture .....	1859
do .....	H. H. Lang & Co. ....	do .....	1858
do .....	Oshawa Stove Co. ....	Stoves .....	1873
do .....	Malleable Iron Works .....	Malleable castings .....	1872
Chatham .....	Colthart & Neilson .....	Furniture .....	1872
do .....	D. Park & Sons .....	Machinery .....	1875
do .....	Manson Campbell .....	Fanning mills .....	1865
do .....	Harvester & Manufacturing Co. ....	Agricultural implements .....	1881
do .....	T. H. Taylor & Co. ....	Woollen goods .....	1856
do .....	Chatham Manufacturing Co. ....	Waggons .....	1882
Woodstock .....	James Hay & Co .....	Chairs and rattan goods .....	1872
do .....	R. Whitelaw .....	Mill machinery, &c .....	1864
do .....	Thomas & Co .....	Organs .....	1876
do .....	D. W. Karn .....	do .....	1866
do .....	Griffith & Walrond .....	do .....	1882
Ingersoll .....	Noxon Bros. Manufacturing Co. ....	Agricultural implements .....	1856
do .....	Waterhouse & Bradbury .....	Woollen goods .....	1855
do .....	John Russell & Co. ....	Agricultural implements .....	1837
Paris .....	D. Maxwell .....	do .....	1859
do .....	Brown & Co. ....	Nuts .....	1873
do .....	Carpet Manufacturing Co. ....	Carpets .....	1882
do .....	Paris Manufacturing Co. ....	Knitted goods .....	1872
do .....	Adams, Hackland & Co. ....	do .....	1870
do .....	John Penman & Co. ....	do .....	1868
Lindsay .....	Richard Sylvester .....	Agricultural implements .....	1870
do .....	J. W. Wallace .....	Woollen goods .....	1866
do .....	A. Wright .....	Boots and shoes .....	1854
Campbellford .....	Northumberland Paper Co. ....	Straw and cardboard .....	1881
do .....	Trent Valley Woollen Mills Co. ....	Flannels and dress goods .....	1882
do .....	Edward Senior .....	Woollen goods .....	1868
do .....	G. Whyte & Co .....	Agricultural implements .....	1880
Cornwall .....	Cornwall Manufacturing Co. ....	Woollen goods .....	1868
do .....	Toronto Paper Co. ....	Fine papers .....	1883
do .....	Flack Bros. ....	Pottery .....	1869
do .....	Stormont Cotton Manufacturing Co. ....	Cotton goods .....	1880
do .....	Canada Cotton Manufacturing Co. ....	do .....	1872
do .....	Cotton Batting Co .....	Cotton batting .....	1884
do .....	Flack Bros. ....	do .....	1878
Glenwilliam .....	Glen Woollen Mills Co .....	Knitted goods .....	1855
Georgetown .....	Robert W. King & Co .....	Knitting machinery .....	1879
do .....	Star Hosiery Co. ....	Hosiery .....	1882
do .....	J. B. Dayfoot .....	Boots and shoes .....	1873
do .....	Aldous & Co .....	Furniture .....	1884
do .....	Creelman Bros .....	Knitting machines .....	1876
Preston .....	Clare Bros & Co. ....	Stoves .....	1859
do .....	W. D. Hepburn & Co .....	Boots and shoes .....	1875
do .....	Robinson, Howell & Co. ....	Woollen goods .....	1870
Hespeler .....	R. Forbes & Co .....	do .....	1868
do .....	Harvey & McQueen .....	Woollen and cotton goods .....	1881
Napanee .....	Fralick & Crouch .....	Fancy cabinet work .....	1879
do .....	Napanee Brush Works .....	Brushes .....	1879
do .....	J. Herring & Son .....	Agricultural implements .....	1859
do .....	J. Gibbard & Sons .....	Furniture .....	1859

Name of Place.	Name of Firm.	Class of Work.	When Established.
Prescott	Emery Wheel Co.	Emery wheels	1883
do	St. Lawrence Manufacturing Co.	Agricultural implements	1882
Port Elgin	Port Elgin Brush Co.	Brushes and brooms	1883
do	A. Barber & Sons	Woollen goods	1870
Acton	W. H. Story & Son	Gloves	1868
Burlington	Semmens, Ghent & Co.	Baby carriages	1880
Bothwell	Bothwell Bending and Turning Co.	Carriage wood work	1880
St. Mary's	Dufton & Myers	Woollen goods	1861
do	John Moore & Son	Agricultural implements	1852
Ayr	Ayr American Plow Co.	Plows	1884
Port Dover	Ellis & Stokes	Knitted goods	1880
Rockwood	Harris & Co.	Woollen goods	1867
Glencoe	Agricultural Manufacturing Co.	Agricultural implements	1882
Orillia	Ontario Mattress Co.	Upholstering	1884
do	Francis Tutton & Sons	Machinery	1877
do	Robert Brammer	Saw mill machinery	1879
do	A. K. McKay	Woollen goods	1877
Barrie	M. S. McKay	do	1874
do	H. Scurey	Machinery	1867
Bracebridge	H. J. Bird	Woollen goods	1870
Port Hope	John Walker	Furniture	1864
Bowmanville	McClung & Dartch	Plows, mowers, &c	1882
do	Upper Canada Furniture Co.	Furniture	1866
do	Dominion Organ and Piano Co.	Organs and pianos	1874
Cobourg	Wm. Mitchell	Mats and matting	1880
do	Jas. Crosson	Railway cars	1870
do	John Routh & Co.	Woollen goods	1854
Mount Forest	Robt. Kilgour & Sons	Agricultural implements	1861
do	Geo. Tanner	Woollen goods	1867
Harriston	Wm. Weatherstone	do	1881
do	Dowling & Leighton	Furniture	1879
do	Geo. Stong	Agricultural implements	1869
Elora	Ontario Worsted Co.	Carpets and yarns	1881
do	Robt. Dalby	Brushes	1877
Walkerton	S. F. Taylor & Son	Felt boots	1882
do	Ker, Harford & Co.	Bobbins, spools, &c	1881
Hanover	Hanover Felt Boot Co.	Felt boots	1883
do	D. Knechtel	Furniture	1872
do	Jacob Messenger	Woollen goods	1881
Fergus	Beatty Bros	Agricultural implements	1874
do	Jas. Wilson	Woollen goods	1866
Simcoe	Simcoe Woollen Co.	Yarns	1833
do	Jos. Brook	Woollen goods	1867
Aylmer	S. S. Clutton	do	1873
do	J. T. Rowe	Organs	1881
do	W. L. Brown	do	1879
do	Clarke, Harris & Co.	Furniture	1881
St. Thomas	Cochrane Manufacturing Co.	Agricultural implements	1872
do	Erie Iron Works Manufacturing Co.	do	1882
do	C. Norsworthy & Co.	Engines and machinery	1871
Tilsonburg	McCrae Bros	Agricultural implements	1881
do	Tilsonburg Agricultural Manufacturing Co.	do	1882
do	T. S. Waller	Stoves	1879
do	Jno. Waterhouse	Woollen goods	1871
Aurora	G. Wilkinson & Co.	Plows	1870
do	Estate of J. Fleury	Agricultural implements	1859
Newmarket	Newmarket Hat Co.	Felt hats	1878
do	Jas. Allan	Agricultural implements	1854
do	J. Millard & Co.	Furniture	1839
do	Wm. Cane & Sons	Tubs, pails, &c	1875
Windsor	Drake & Joyce	Furniture	1870
do	Jno. McGregor & Sons	Boilers	1879
do	E. T. Barnum & Co.	Wire work	1883
do	Globe Works	Tobacco	1878
Walkerville	Sugar Refining Co. (Limited)	Syrups and glucose	1882
do	Kerr Bros	Machinery	1874
Stratford	Campbell & Abraham	Furniture	1874
do	Macdonald, McPherson & Co.	Threshers	1876
do	J. Sharman	do	1842
do	S. S. Fuller & Co.	Woollen goods	1883



Name of Place.	Name of Firm.	Class of Work.	When Established.
Stratford.....	Dufton & Myers.....	Woollen goods.....	1869
do .....	Geo. T. Smith, Middlings Purifier Co. ....	Mill machinery .....	1869
Sorel.....	Pontbriand Frère.....	Saws.....	1884
do .....	Beauchemin & Sons.....	Agricultural implements.....	1855
do .....	G. A. Pontbriand.....	Machinery.....	1860
do .....	J. D. Bellerose .....	do .....	1861
do .....	Dominion Wadding Co .....	Cotton Wadding.....	1873
Windsor Mills ..	Hamilton Powder Co .....	Gunpowder.....	1861
do .....	Canada Paper Co.....	Paper.....	1858
Valleyfield.....	Montreal Cotton Co .....	Cotton goods.....	1877
do .....	Alex. Buntin .....	Paper.....	1854
do .....	Jas. Wattie .....	Woollen goods.....	1868
Chambly.....	Chambly Cotton Co .....	Cotton goods .....	1881
do .....	D. T. Willett.....	Spades and shovels .....	1874
do .....	S. T. Willett.....	Woollen goods.....	1857
Magog.....	Magog Textile and Print Co.....	Printed cottons .....	1884
Portneuf.....	J. & T. Gorrie.....	Pulp .....	1874
Lorette.....	J. & W. Reid.....	Paper .....	1869
Pont Rouge.....	Louis Du Pont .....	Pulp .....	1881
St. Jerome.....	Rolland Paper Co .....	Paper .....	1884
East Angus.....	Wm. Angus .....	Chemical pulp.....	1883
Sherbrooke.....	Eastern Tps. Corset Manufacturing Co.....	Corsets .....	1880
do .....	Symmes Bros.....	Wood pulp.....	1881
do .....	Dominion Snath Co .....	Snaths.....	1880
do .....	A. L. Gundrich & Co.....	Woollen goods.....	1871
do .....	A. Tomas & Son.....	do .....	1846
do .....	Paton Manufacturing Co.....	do .....	1866
do .....	C. E. Kennedy & Co .....	Brooms and tinware .....	1883
do .....	Chapman & Co.....	Files.....	1880
do .....	Smith Elkins Manufacturing Co.....	Machinery.....	1874
do .....	S. Turse .....	Furniture.....	1852
do .....	S. B. Jenckes & Son.....	Foundry.....	1849
Three Rivers.....	J. Seigel .....	Gloves.....	1879
do .....	Hy. M. Balcer.....	do .....	1854
do .....	O. Girard .....	Coffin trimmings.....	1865
do .....	Canada Thread Co.....	Spools .....	1874
do .....	F. X. Bellefeuille et Frère.....	Threshing machines.....	1844
do .....	A. McKelvie & Sons.....	Machinery.....	1850
do .....	C. P. Gelines et Frère.....	Furniture.....	1872
do .....	Remillard & Son.....	Foundry.....	1859
St. Hyacinthe.....	T. Dwane.....	Stoves.....	1881
do .....	F. Alfred.....	Furniture.....	1859
do .....	F. X. Bertrand.....	Machinery.....	1872
do .....	I. Frechette .....	do .....	1872
do .....	O. Chalifoux & Sons.....	Threshing machines.....	1849
do .....	Duclos & Payan .....	Tannery.....	1873
do .....	St. Hyacinthe Manufacturing Co .....	Woollen goods .....	1872
do .....	Louis, Côté & Bro.....	Boots and shoes.....	1865
do .....	Agam Laline & Co .....	do .....	1881
do .....	C. H. Beauchemin.....	Shirts .....	1881
do .....	Morrison & Boardman.....	do .....	1883
Coaticook.....	Jasney Bros.....	Furniture.....	1874
do .....	Gilmore, Renaud & Co.....	Chairs.....	1879
do .....	Sleeper & Ackhurst.....	Agricultural implements.....	1862
do .....	Coaticook Knitting Co.....	Shirts .....	1872
do .....	Coaticook Woollen Co .....	Woollen goods.....	1882
do .....	Coaticook Cotton Co.....	Cotton goods.....	1879
Waterloo, Que... ..	Allen, Taylor & Co.....	Agricultural implements.....	1839
Rock Island.....	Butterfield & Co.....	Iron working tools.....	1881
Drumondville.....	John McDougall.....	Iron smelting.....	1873
Waterloo, Que... ..	W. R. Lefebvre .....	Furniture.....	1881
Drumondville ..	Joseph Rock.....	Woollen goods.....	1881
Rock Island.....	A. T. Foster.....	Boots and shoes.....	1865
do .....	Jondro & Goodhue.....	do .....	1874
Granby.....	Granby Rubber Co .....	Rubber clothing .....	1882
St. Johns.....	St. John Stone and Chinaware Co.....	Chinaware.....	1873
do .....	Standard Drain Pipe Co.....	Clay goods.....	1884
do .....	J. C. Ayer.....	Patent medicines.....	1854
do .....	E. Bowler & Co.....	Pottery.....	1876
do .....	Côté & Co.....	Boots and shoes.....	1876

Name of Place.	Name of Place.	Class of Work.	When Established.
St. Johns.....	Montgomery & McGivens .....	Woollen goods.....	1879
St. Athanase.....	L. S. Palmer.....	Pottery.....	1875
do .....	J & S. Besette.....	Threshing machines.....	1860

	Year.	No. of Fae- to-ries.	No. of Hands.	Yearly Wages.	Value of Product.	Capital Invested.
				\$	\$	\$
Montreal .....	1878	122	9,186	2,440,900	11,376,300	7,407,500
do .....	1884	178	18,190	4,994,300	28,961,600	14,344,000
		56	9,004	2,553,400	17,585,300	6,936,500
Toronto.....	1878	55	3,195	1,045,500	4,109,000	2,430,500
do .....	1884	91	6,852	2,378,200	9,715,300	4,761,500
		36	3,657	1,332,700	5,606,300	2,331,000
Hamilton.....	1878	40	2,382	843,700	2,949,500	1,942,500
do .....	1884	62	4,601	1,748,700	6,183,000	3,353,000
		22	2,219	905,000	3,233,500	1,410,500
London.....	1878	20	1,387	503,400	2,355,600	1,220,500
do .....	1884	29	2,015	683,500	3,302,000	1,795,500
		9	628	180,100	946,400	575,000
Quebec.....	1878	18	1,790	383,500	1,745,300	1,540,000
do .....	1884	27	3,453	792,100	3,532,300	2,059,500
Sorel.....		9	1,663	408,600	1,787,000	519,500
Windsor Mills.....						
Magog.....						
St. Jérôme.....	1878	12	1,078	253,500	1,467,000	1,918,000
East Angus.....	1884	18	1,946	523,000	3,129,000	3,578,000
Portneuf.....						
Pont Rouge.....		6	868	269,500	1,662,000	1,660,000
Lorette.....						
Chambly Canton.....						
Valleyfield.....						
Belleville.....	1878	7	182	73,000	174,500	142,000
do .....	1884	9	372	139,200	425,000	239,800
		2	190	66,290	250,500	97,800
Cobourg.....	1878	5	361	108,800	325,300	190,500
Port Hope.....	1884	7	757	275,100	1,030,400	422,600
Bowmanville.....		2	396	166,300	705,100	232,100
Woodstock.....	1878	6	407	137,100	404,500	277,500
Ingersoll.....	1884	7	721	275,800	940,000	570,500
		1	314	138,700	535,500	293,000
Berlin.....	1878	10	355	73,750	294,500	243,000
Waterloo.....	1884	15	886	222,400	957,000	478,000
		5	531	148,650	662,500	235,000



	Year.	No. of Fac- tories.	No. of Hands.	Yearly Wages.	Value of Product.	Capital Invested.
				\$	\$	\$
Brantford .....	1878	11	681	236,700	1,071,500	746,000
do .....	1884	15	1,032	345,400	1,583,000	1,203,000
		4	351	108,700	511,500	457,000
Guelph .....	1878	10	571	181,700	532,600	470,000
do .....	1884	13	1,050	345,700	1,102,000	826,000
		3	479	164,000	569,400	356,000
Ottawa .....	1878	6	421	163,000	487,900	405,000
do .....	1884	8	575	237,500	732,700	595,000
		2	154	74,500	244,800	190,000
Aylmer .....	1878	5	60	16,400	82,600	77,000
Simcoe .....	1884	13	351	109,500	466,000	493,500
St. Thomas .....						
Tilsonburg .....		8	291	93,100	383,400	416,500
Chatham .....	1878	4	63	19,200	68,000	54,000
do .....	1884	6	329	96,700	445,500	323,000
		2	266	77,500	377,500	269,000
Aurora .....	1878	5	87	29,900	136,000	186,000
Newmarket .....	1884	5	195	69,900	360,000	316,000
		0	108	40,000	224,000	130,000
Hanover .....	1878	7	87	34,150	97,800	91,000
Harriston .....	1884	14	386	124,800	398,000	244,500
Walkerton .....						
Mount Forest .....		7	299	90,650	300,200	153,500
Fergus .....						
Elora .....	1878	7	195	58,700	226,000	622,000
Dundas .....	1884	11	496	155,700	552,500	910,000
do .....		4	301	97,000	326,500	288,000
Cornwall .....	1878	3	623	156,700	678,000	815,000
do .....	1884	6	1,383	324,000	1,503,000	2,040,000
		3	760	167,300	825,000	1,225,000
Kingston .....	1878	7	230	71,400	252,000	151,000
do .....	1884	14	720	216,500	938,000	580,500
		7	490	145,100	686,000	429,500
Paris .....	1878	5	353	94,400	402,000	33,000
do .....	1884	6	545	154,900	663,200	567,000
		1	192	60,500	261,200	207,000
Peterboro' .....	1878	6	301	111,000	435,000	309,000
do .....	1884	11	420	158,200	656,000	420,500
		5	119	47,200	221,000	111,500
Campbellford .....	1878	4	116	29,600	140,000	93,000
Lindsay .....	1884	7	330	97,200	432,200	308,000
		3	214	67,600	292,200	215,000

	Year.	No. of Fac- tories.	No. of Hands.	Yearly Wages.	Value of Product.	Capital Invested.
				\$	\$	\$
Three Rivers.....	1878	7	147	41,200	113,500	139,000
do .....	1884	8	246	65,300	187,000	186,000
		1	99	24,100	73,500	47,000
Rock Island.....	1878	4	173	56,000	164,000	111,000
Drummondville.....		8	425	131,600	401,000	260,000
Granby.....	1884	4	252	75,600	237,000	149,000
Waterloo.....						
St. Hyacinthe.....	1878	7	235	54,700	344,200	162,000
do .....	1884	11	716	171,300	868,500	396,000
		4	481	116,600	524,300	234,000
St. Johns.....	1878	6	352	83,800	331,000	236,000
St. Athanase.....	1884	8	476	116,500	428,000	346,000
		2	124	32,700	97,000	110,000
Sherbrooke.....	1878	6	599	126,600	579,000	805,000
do .....	1884	11	870	201,300	900,500	934,500
		5	271	74,700	321,500	129,500
Gananoque.....	1878	10	247	76,800	255,000	360,000
do .....	1884	13	397	136,600	456,000	491,000
		3	150	59,800	201,000	128,000
Brockville.....	1878	7	322	123,200	489,500	496,500
do .....	1884	13	596	233,200	920,000	809,000
		6	274	110,000	430,500	312,500
Napanee.....	1878	10	428	116,300	487,200	326,000
Ayr.....		21	1,177	324,100	1,266,800	1,018,000
Acton.....	1884	11	749	207,800	779,600	692,000
Rockwood.....						
St. Marys.....						
Glencoe.....						
Bothwell.....						
Port Dover.....						
Port Elgin.....						
Hespeler.....						
Prescott.....						
Preston.....						
Burlington.....						
St. Catharines.....						
Merriton.....	1878	9	532	190,000	757,500	841,000
Thorold.....	1884	16	1,096	408,200	1,600,600	1,497,000
Welland.....		7	564	218,200	843,100	656,000
Galt.....	1878	9	394	145,200	405,500	709,000
do .....	1884	16	940	372,400	1,063,500	1,111,000
		7	546	227,200	658,000	402,000
Georgetown.....	1878	3	101	28,000	126,000	52,000
Glen Williams.....	1884	6	200	61,100	234,500	134,500
		3	99	33,100	108,500	82,500
Coaticook.....	1878	3	66	19,300	88,000	62,000
do .....	1884	6	364	77,100	288,000	303,000
		3	298	57,800	200,000	241,000



	Year.	No. of Fac- tories.	No. of Hands.	Yearly Wages.	Value of Product.	Capital Invested.
Orillia.....	1878	5	72	\$ 21,500	\$ 70,800	\$ 58,000
Barrie .....	1884	7	114	35,600	132,700	126,000
Bracebridge.....		2	42	14,100	61,900	68,000
Windsor .....	1878	2	12	5,600	14,000	16,000
Walkerville.....	1884	5	177	74,900	334,300	205,700
		3	165	69,300	320,300	189,700
Stratford.....	1878	4	78	20,700	95,000	93,000
do .....	1884	5	134	34,300	178,000	178,000
		1	56	13,600	83,000	85,000
		.....	27,869	8,174,900	34,131,100	26,160,500
		.....	555,333	16,911,800	77,267,100	48,425,100
Totals.....		.....	27,664	8,736,900	43,136,000	22,264,600

## II.

For the purpose of instituting a better comparison of the different lines of goods now being made in Canada, another table has been compiled, dividing the factories into eighteen different classes, which are given below with accompanying notes.

1st. Foundries.—Of these, 45 furnish figures, and of that number 33 were started prior to 1879, and 12 have commenced operations since that time. This class includes the manufacture of stoves, furnaces, ornamental iron work, sinks, pipes, hollow ware, car wheels, malleable iron work, carriages, saddlery and builders' hardware, and all kinds of castings. The first line gives the figures for 1878, the second and third for 1884, and the last shows the increase of the six years.

	No. of Factories.	No. of Hands.	Yearly Wages.	Value of Product.	Capital Invested.
Same factories.....	1878—33	1,804	\$ 697,100	\$ 1,962,400	\$ 1,865,500
New do .....	1884—33	2,907	1,186,900	3,484,200	2,913,000
	1884—12	389	157,400	528,000	274,500
Increase of 1884 over 1878.....	12	1,492	647,200	2,049,800	1,322,000

It will be noticed that the rate of increase in the number of hands is 83 per cent. The average wages in 1878 were \$386.36, and in 1884, \$407.94, an increase of \$21.58 per hand. The production has increased in a greater ratio than the number of hands, showing that by means of better appliances and facilities brought into use, by reason of the larger trade to be done, each man produces more now than six years ago. There is, in a few lines in this class, still some little foreign competition. This is attributed, in some instances, to undervaluation, and in others to a very large surplus production in England and the United States; but on the whole there are very few complaints from manufacturers of this class of goods, and the trade is in a fairly satisfactory condition.

2nd. Furniture Factories.—Statistics were obtained from 43 of these, of which number 30 were in existence prior to 1879, and 13 have started since. This class includes the manufacture of general lines of furniture and mattresses and upholster-

ing work. The figures in all the classes are arranged as in the first, the first line referring to the year 1878, and the second and third lines to the last twelve months.

	No. of Factories.	No of Hands.	Yearly Wages.	Value of Product.	Capital Invested.
	1878—30	1,325	\$ 462,200	\$ 1,198,600	\$ 1,378,500
Same factories .....	1884—30	1,753	652,800	1,779,500	1,533,300
New factories.....	1884—13	379	148,700	452,000	137,000
Increase of 1884 over 1878 .....	13	807	339,300	1,032,900	291,800

The hands employed in this trade have increased by nearly 61 per cent. The average wages in 1878 amounted to \$348.83, and in 1884 to \$370.73, an increase of \$21.90. There is also an increased production per hand in this business, owing to the improved plant and machinery used in the manufacture of articles of furniture.

A little competition from the United States is still felt, but this is altogether owing to the discriminating freight rates mentioned in the introduction. The furniture trade feels this difficulty, perhaps, to a larger extent than any other branch of manufacture, owing to the great bulk and disproportionate weight of their goods. A beginning has, nevertheless, been made in exporting articles of furniture, one firm shipping the work in an unfinished condition to Great Britain, where it is finished and put together. By shipping the goods in this way the bulk is better proportioned to the weight, and there is a prospect of a fairly remunerative business being done in this manner.

3rd. Manufactures of Machinery.—Of these, figures were furnished by 63 firms, of which 53 were started prior to 1879, and 10 since that date. All descriptions of machinery are included in this class—engines of all kinds, saw mill, wood-working, flour mill, hydraulic, iron-working, knitting, boot and shoe, sewing machines, and boilers, where the building of these is united with engine work. Where boilers alone are made, they are classed in with manufactures of iron.

	No. of Factories.	No. of Hands.	Yearly Wages.	Value of Product	Capital Invested.
	1878—53	2,093	\$ 755,400	\$ 2,231,300	\$ 2,273,500
Same factories .....	1884—53	3,334	1,241,800	3,593,700	3,185,500
New do .....	1884—10	357	145,700	351,600	294,000
Increase of 1884 over 1878.....	10	1,598	632,100	1,714,000	1,206,000

The hands employed in this branch of manufacture have increased 76 per cent. The wages which, in 1878, averaged \$360.91, had risen, in 1884, to an average of \$376.18, an increase of \$15.27. In special lines of machinery there is yet some competition from the United States, but in the general lines the trade may be said to be entirely in the hands of Canadian manufacturers. Some firms are doing an export trade, to a limited extent, with South American countries. In sewing machines there is a steadily increasing trade, and a branch of the Singer Manufacturing Company has, owing to the higher duties, been established in Montreal, giving employment to a large number of artisans.

4th. Agricultural Implements.—Figures were obtained from 57 of these works, 39 of which were established prior to 1879, and 18 since. Under this head there is included the manufacture of self-binders, reapers, mowers, horse rakes, seeders,



harrows, ploughs, scrapers, rollers, cultivators, fanning mills, threshing machines and general harvesting machinery.

	No. of Factories.	No. of Hands.	Yearly Wages.	Value of Product.	Capital Invested.
	1878—39	1,718	\$ 670,900	\$ 2,627,000	\$ 2,290,000
Same factories.....	1884—39	2,700	1,076,800	4,757,000	3,750,000
New do .....	1884—18	519	197,500	671,500	608,500
Increase of 1884 over 1878.....	18	1,501	603,400	2,801,500	2,068,500

The number of hands employed has increased 87 per cent. The wages averaged, in 1878, \$390.51, and in 1884 \$395.86, an increase of \$5.35. As accounting for this small increase of wages, when compared with other branches of the iron trade, it may be stated that much more of this kind of work is now being done by machinery than was formerly the case. Owing to the largely increased demand, greater facilities for turning out the work had to be provided, and in this way an unskilled man is now doing, with a machine, what a skilled mechanic formerly did by hand. That this is the true explanation is also found by analysing the figures of production, when it will be seen that the output has increased over 106 per cent., or \$157 per hand, showing conclusively that machine work must have largely replaced the hand-made work of former years. The large increase in the capital invested also points in the same direction.

In the older Provinces the market for these implements is monopolized by the home manufacturer, but in the North-West, in spite of the recent increase of duty, there is still some United States competition. This competition is accounted for in several ways. There is, first, the prejudice in favor of the superiority of United States made implements, as adapted to prairie farming, which still lingers in some minds, but is being gradually rooted out by reason of the exceedingly fine machines now being produced by Canadian makers, which may safely be compared for excellence of design, good workmanship and facilities for doing the work for which they are intended, with the production of any nation in the world. Then there is the question of freight rates, which in the past has militated against the Canadian and in favor of the Western States manufacturer. This cause, however, does not exist now, as, during the past season, freight rates to the North-West have been reduced very largely. One manufacturer, who in 1883, paid \$300 per car to Manitoba, was able to obtain cars during the season of 1884 for \$150. In consequence of this reduction he was enabled to sell his implements in the North-West 15 per cent. cheaper than the preceding year, as it is the custom to sell goods in that country at the same price as in Ontario, with freight added. But there is still another reason why the United States manufacturer is able to sell some implements in the Canadian North-West, and it is a very unfair advantage which this reason gives him over his Canadian competitor. As is well known, the harvest season in the South-Western States commences at a much earlier date than in the more northern territories, and at the opening of the season in the south the United States implement maker has a stock of his goods on the ground for sale, and disposes of as many of them as possible at a regular price, a price which will enable him to make a fair profit on the article. Then, as the season advances north and west, he moves his unsold stock with it, disposing of as many as possible in each State and Territory, until, finally, in September, he finds himself in the North-West with what is left unsold of his implements. Having derived a good profit from his earlier sales he is prepared to dispose of what remains even at sacrifice prices rather than take them back to the factory. Each year adds many improvements to these implements and, as a consequence, machines made one year do not bring nearly as good a price the following season. In view of this fact, and also that the freight rate back to the works would be a considerable item, the market is flooded

at this time of the year with machines for which almost any price offered would be taken. When it is considered that this is the main market of the Canadian maker, out of which, if he does not make a profit, he cannot expect to make a profit at all, and when it is further considered that the Canadian made implement cannot possibly reach the earlier and more profitable market in the south, by reason of the prohibitive duties of the United States, it will be conceded that the competition is a decidedly unfair one—one from which the Canadian manufacturer may, with propriety, ask the Government of the country in which he does business to relieve him. The last change in the duties on these implements has had its effect on this class of competition, and, if the duties are retained in their present position, will eventually kill it off.

With reference to the prices at which these implements have been sold, manufacturers generally concur in saying that during the past six years prices have been reduced from 15 to 25 per cent. Specific figures were given in some cases, a few of which may be noted: One manufacturer who formerly sold his make of reaper at \$110 now sells at \$80; another whose reaper was in 1878 sold at \$98 now sells at \$80, his mowers, formerly \$63 are now \$50; drills, then \$70 to \$72, are now sold at \$60; another who sold his reapers in 1878, at \$105, now gets but \$90; another now sells mowers at \$60 for which, in 1878, he got \$75; another sells his reapers at \$80, who, six years ago, sold the same description of machine at \$120; another who used to obtain \$525 for a threshing machine and horse-power, now sells at \$475; another says he reduced the price of his binders 25 per cent. this year; another who, last year, sold binders at from \$300 to \$340, this year sells at from \$275 to \$300. More answers of the like kind might be given, but enough have been advanced to show the percentage of decrease which has taken place during the past six years.

In conclusion, it may be said that this class of manufacturers are in a fairly prosperous condition and, taken as a whole, look forward hopefully to a remunerative season's business in 1885.

5th. Miscellaneous Manufactures of Iron.—Statistics were obtained from 64 in this class, of which number 43 were in existence prior to 1879, and 21 have been started since. This class includes rolling-mills, manufactures of nails, iron bridges, edge tools, iron pumps, hammers, machine knives, axles, files, saws, taps and dies, safes, scales, cutlery, springs, bolts and nuts, screws, garden and hand harvesting tools, boilers, &c.

	No. of Factories.	No. of Hands.	Yearly Wages.	Value of Product.	Capital Invested.
	1878—43	1,910	\$ 679,700	\$ 2,459,600	\$ 2,464,500
Same factories.....	1884—43	2,801	1,094,400	3,901,700	3,294,500
New do .....	1884—21	1,162	519,800	2,306,300	887,700
Increase of 1884 over 1878.....	21	2,053	934,500	3,748,400	1,717,700

The number of hands employed in this class has increased by 107 per cent. while the average wages have advanced from \$355.86, in 1878 to \$407.31, in 1884, an increase of \$51.45. The foreign competition in axles and garden and harvest tools has been very keen, owing to the fact that prison labor is employed in their manufacture in the State prisons of New York, Michigan, Ohio and Iowa, and Canadian manufacturers think that some steps should be taken to keep the production of this class of foreign labor from entering into competition with the product of the toil of honest artisans in this country. It is irritating to the free workman to have to enter into competition with the prison labor of his own country, but it is doubly exasperating when the work is the product of the convicts of a foreign land, and some redress of this grievance is eagerly looked forward to. The prisoners are only



paid for at the rate of 25 cents per day, and in some of these goods, the labor of which forms a large portion of the cost, the competition has been almost ruinous. The manufacturers of scales have secured the market in all small lines, but of the larger, hay and track scales, a number are still imported.

As an instance of the desperate exertions sometimes made by United States manufacturers to kill off their Canadian competitors, the following may be cited: There are in the United States but four or five makers of taps and dies, and they have a combination amongst themselves in regard to prices to be charged in their own market, and up till 1881 these prices, with the duty added, were the prices to Canadian dealers. In the year mentioned a firm in Canada commenced the manufacture of these articles, starting out with prices identically the same as the United States combination prices, the purchaser of the Canadian made article thus saving the amount of the duty. As soon as the competition on this side began to be felt, a drop in prices to Canadian purchasers was made by the combination, to the extent of 32½ per cent., the old prices still being maintained on their side of the boundary line. This move was expected to kill off their competitors here, and, this accomplished, the old prices would, doubtless, soon have been demanded, with, perhaps, a slight addition to make up for former unprofitable sales. It is in the face of such unfair, one-sided trading as this that a Canadian often has to establish himself in his business. Could the like tactics be resorted to from this side there would be no ground for complaint, but the United States manufacturer is effectually guarded against that by the high tariff wall which his Government has built around him.

6th. Manufactures of Tobacco and Cigars.—Of these establishments figures were obtained from 21, 15 of these having been started prior to 1879 and 6 since.

	No. of Factories.	No. of Hands.	Yearly Wages.	Value of Product.	Capital Invested.
	1878—15	1,165	\$ 234,800	\$ 1,009,000	\$ 456,500
Same factories.....	1884—15	1,939	369,300	1,437,500	525,500
New do .....	1884— 6	172	49,500	206,000	36,000
Increase of 1884 over 1878.....	6	946	184,000	634,500	105,000

The number of hands in this class has increased by 81 per cent., and the wages which, in 1878, averaged \$201.54, had decreased to \$193.33 in 1884, an apparent difference of \$3.16. There were, however, scarcely enough of these factories visited to obtain a thoroughly correct idea of the state of trade and wages prevailing. It may be that in this business a smaller class of labor is coming into use, and if this is a correct surmise, it would account for the difference.

Complaints against the importation of cheap German and Mexican cigars are made by manufacturers, who contend that they are unable to compete against the low priced labor of those countries. Cigars which cost 40 cents to \$1.25 per 1,000 for labor in Germany, would cost from \$2 to \$4.75 in Canada. If the tariff were high enough to enable these low grades to be made in this country, a considerable quantity of the tobacco grown in Quebec could be used in their manufacture. No injustice, it is said, would be done to the consumer, as the men who use this grade of cigar usually buy them singly, and in nearly every case pay 5 cents for each cigar. The home manufacturer is prepared to make, and does now make, a better cigar than the foreign one to be sold at this price, but as the retailer's profit is not so large, the foreign goods are pushed, to the detriment of those made at home. Cigar manufacturers in Ontario also complain of a serious falling off in their business during the past year, which is attributed to the passage of the Scott Act in so many counties. In districts where this law is in force the consumption of cigars largely diminishes and the trade is, in consequence, in an unsettled condition.

7th. Knitting Factories.—Statistics were obtained from 20 of these industries, 10 of which were in existence prior to 1879, and 10 have started since that date.

	No. of Factories.	No. of Hands.	Yearly Wages.	Value of Product.	Capital Invested.
			\$	\$	\$
Same factories.....	1878—10	611	134,500	579,500	502,000
New do .....	1884—10	1,118	258,500	1,066,500	788,000
	1881—10	625	138,500	687,000	444,000
Increase of 1884 over 1878.....	10	1,132	262,500	1,174,000	730,000

The number of hands employed in this class of work has increased by 185 per cent., and the wages which, in 1878, averaged \$220.13, in 1884 were \$227.82, an increase of \$769.

Before the change in the fiscal policy these goods were largely imported from Great Britain, but advantage was soon taken of the opportunity given to make these articles in Canada, and a wonderful increase in the output here was the immediate result. The importations were soon stopped, and it took but a short time to ascertain that the production had gone beyond the consuming power of the people. The usual result followed, prices were cut down to below a paying figure, and the output was curtailed to a considerable extent. Had it not been for the market which, fortunately at that time, was opened in the North-West, the result must have been a much more serious one for those engaged in this branch of manufacture. But largely owing to this cause the crisis which seemed imminent was averted and, considering the difficulties in which the trade found itself, the number who failed to weather the storm was exceedingly small. Although not yet in a thoroughly healthy condition, the prospects are beginning to brighten, some few lines not hitherto made in Canada are being started, and with careful management at this juncture a better state of affairs will undoubtedly soon be reached. In England, it is stated, over production in this class of goods has taken place to fully as great an extent as has been the case in Canada, and in consequence a small quantity of the higher priced goods from there are finding their way into this market even at the present low prices.

8th. Manufactures of Leather, Brushes and Brooms, and Rope.—In this class, figures were obtained from 25 factories, 18 of which were in existence prior to 1879, and 7 have started up since that date. The class includes the manufacture of brushes, brooms, leather belting, trunks, rope, buggy tops, card, clothing and leather.

	No. of Factories.	No. of Hands.	Yearly Wages.	Value of Product.	Capital Invested.
			\$	\$	\$
Same factories.....	1878—18	550	139,500	928,000	590,000
New do .....	1884—18	1,204	311,000	1,951,000	865,000
	1884— 7	213	51,300	203,000	102,000
Increase of 1884 over 1878.....	7	867	222,800	1,226,000	377,000

The number of hands in this class has increased 157 per cent. In this and one or two other classes it would not be fair to contrast the wages of the two periods, for this reason: There is so much diversity in the class of help employed in the different lines included in the class, that no just conclusion could be arrived at. The hands employed in a tannery would be really all men, earning a good rate of wages, whereas the employees of a brush factory would include a great many boys and girls, at a much lower rate of pay. If the lower paid trades had increased in a larger ratio than the higher paid ones, the result would show an apparent decrease in



the average rates of wages, where no real decrease existed, but where, on the contrary, it is quite possible there may have been an increase. This state of things could not be avoided without going into a much more minute classification than the time would admit of.

Brush making has increased very largely, and all but the fine lines of toilet goods are now made in Canada. Tanneries have also grown to some extent, owing to the increased output of boots and shoes, and in some few cases in this trade a little exporting to the United States has commenced.

Rope making also shows a very satisfactory increase, and goods are being shipped in considerable quantities to some of the countries of South America.

9th. Woollen Factories.—Of these, figures were obtained from 54, 35 of which were started prior to 1879, and 19 since that date. This class includes all kinds of woollen fabrics, yarns, carpets and dress goods.

	No. of Factories.	No. of Hands.	Yearly Wages.	Value of Product.	Capital Invested.
	1878—35	1,790	\$ 429,350	\$ 2,022,400	\$ 1,900,000
Same factories.....	1884—35	2,275	564,600	2,860,800	2,353,000
New do .....	1884—19	1,138	268,800	1,270,500	933,500
Increase in 1884 over 1878. ....	19	1,623	404,050	2,108,900	1,386,500

The employees in this class of manufacture have increased at the rate of 91 per cent., while the wages would appear to have changed very little. In 1878 the average was \$239.86, and in 1884 \$244.18, an increase of only \$4.32.

Previous to 1879 there was a very large importation of these goods from England, and the competition from there is still felt to a limited extent, but experience is rapidly enabling Canadian manufacturers to compete successfully with these English made goods. A considerable reduction has taken place in the prices of goods in this trade, the decrease ranging, according to the grade of the goods, from  $2\frac{1}{2}$  per cent. to 25 per cent. In a few cases, where specific figures were given, the reductions were as follows: One firm that sold a certain class of tweed in 1878 for \$1 per yard, now get 90c.; another sells a tweed for 75c., which six years sold for \$1; another mill gives average prices in 1878 as \$1 for coarse and \$1.25 for fine tweeds; in 1884 the prices were 75c. and \$1, respectively, for same class of goods; their flannels, which in 1878 brought 40c. to 50c., now sell at 37 $\frac{1}{2}$ c. to 45c.; another mill, working exclusively on one range of flannels, quotes prices at 32c. in 1878, and 27c. now; another flannel mill gives the figures as 35c. in 1878, and 27 $\frac{1}{2}$ c. in 1884; another quotes 1878 prices as follows: tweeds, 90c. to \$1.12 $\frac{1}{2}$ ; flannels, 34c.; and in 1884 the tweeds had dropped to from 65c. to 80c., and the flannels to 25c.; another sold their tweed, in 1878, at 75c., and now only obtain 60c.; another, who sold tweeds in 1878 at from 85c. to \$1.10, now sell same grades at from 75c. to 95c.

In this trade there are isolated instances of slackness, but on the whole it is in a satisfactory condition.

10th. Miscellaneous Manufactures of Wood.—Figures were obtained from 29 establishments, of which 17 were started prior to 1879, and 12 since that date. The class includes picture frames, show cases, waggons, baby and toy carriages, carriage woodwork, carriages, cars, spools, bobbins, snaths and lasts.

	No. of Factories.	No. of Hands.	Yearly Wages.	Value of Product.	Capital Invested.
	1878—17	966	\$ 318,250	\$ 1,487,000	\$ 807,500
Same factories.....	1884—17	1,285	420,100	1,980,300	1,091,100
New do .....	1884—12	340	116,200	414,000	260,000
Increase of 1884 over 1878. ....	12	659	218,050	907,300	543,600

The hands employed have increased at the rate of 68 per cent. No comparison can be made in rate of wages for reasons mentioned in Class 8.

One firm was met with in this class who manufactures snaths, and who, previous to 1879, were located in Vermont, from which State they shipped their goods into Canada. After the change was made in the tariff they removed their works to Canada, and are now supplying the trade at prices 33½ per cent. lower than when their goods were sent in from the United States.

A firm included in this class has recently commenced the manufacture of canoes, and are making such a beautifully finished article that they are in demand in England and the United States, to which countries quite a number have been exported.

A trade which at one time promised to attain considerable proportions, was the export of buggies and carriages to Australia, but owing to the very heavy freight rates, it has dwindled away to comparative insignificance.

The business of making toy horses and waggons was also a promising one, and the few engaged in it had every prospect of doing a profitable business, as the consumption in Canada has reached considerable proportions, but the convict labor at the Central Prison, Toronto, was utilized in the manufacture of these articles, and the product of honest labor has had to be sacrificed. The business is now nearly killed out. Private car works, which are included in this class, are very dull, as compared with two years ago. The reason given is that railway companies are now doing a much larger proportion of this work in their own workshops.

11th. Confectionery and Biscuit Manufacturing.—Nineteen of these works furnished statistics, of which number 17 were started prior to 1879 and 2 have been established since:—

	No. of Factories.	No. of Hands.	Yearly Wages.	Value of Product.	Capital Invested.
			\$	\$	\$
Same factories.....	1878—17	715	195,200	1,715,500	646,500
New do .....	1884—17	1,072	300,500	2,603,300	975,000
	1884— 2	37	8,600	74,000	24,000
Increase of 1884 over 1878.....	2	394	113,900	961,800	352,500

The number of hands finding employment in this branch of manufacture has increased by 55 per cent. The wages averaged \$273 in 1878, and \$278.71 in 1884, an increase of \$5.71.

In 1877 two or three firms, which were largely engaged in this business, succumbed to the pressure of the hard times then prevailing, and as no one, at that time, felt inclined to invest money in manufacturing pursuits, the trade of these firms became divided amongst those that remained. The impetus thus given to these firms enabled them to advance with rapid strides, when good times were again felt. They obtained such an excellent business standing and such a powerful hold upon the retail trade of the country that it became a difficult task for a new firm to establish itself. Thus, though the new industries are few, the increased business being done by the older firms is very large.

No foreign competition of any moment is experienced by this class of industries. In frontier towns a little is being imported yet, but practically the trade is controlled by Canadian manufacturers.



12th. Boot and Shoe Factories.—Sixty factories furnish statistics in this class, 40 of which were started prior to 1879, and 20 have been established since. The class includes the manufacture of all grades of boots and shoes, and parts thereof.

	No. of Factories.	No. of Hands.	Yearly Wages.	Value of Product.	Capital Invested.
			\$	\$	\$
Same factories.....	1878—40	5,119	1,358,700	5,919,000	2,544,000
New do .....	1884—40	6,606	1,791,600	7,693,000	3,009,500
	1884—20	1,719	503,300	2,061,000	378,500
Increase of 1884 over 1878.....	20	3,206	936,200	3,835,000	844,000

The hands employed in this industry have increased by 62 per cent. The wages, in 1878, averaged \$265.42, and in 1884 the average was \$275.66, an increase of \$10.24.

The history of the boot and shoe manufacturing industry in Canada is an interesting one. Previous to 1859 the trade was supplied principally by United States manufacturers. In that year the duty was raised from 12½ per cent. to 25 per cent. This measure of protection wonderfully stimulated the growth of the manufacture in Canada, and from that time on the progress has been steady. Each year has witnessed a larger output than its predecessor, in the medium and coarse grades of work. The trade in the finer lines was still done by United States dealers, and it has only been during the past two or three years that any considerable quantity of these lines have been produced in Canada. Now the gross importations are an inconsiderable portion of the consumption, and were it not for the fact that prices are cut, to Canadian dealers, much below the regular price on the other side of the boundary line, would be cut off altogether. With the increase of growth, prices have diminished. By 1860 the prices of staple lines had fallen to lower figures than those which prevailed when the goods were imported, and to-day Canada is said to be the cheapest market in the world for medium and coarse grades of boots and shoes. Our manufacturers are building up a large export trade; the products of Canadian factories now find their way into Newfoundland, South America, Great Britain and the West Indies.

Another feature of the trade is, that makers who formerly turned out from their works all classes of goods, from the finer ladies' to the coarse stoga, are now confining their attention to one particular line, and buy from other manufacturers the other lines which their customers may order. In this way the maximum in quality at the minimum of cost is reached; and there can be no doubt but that, in the hands of the energetic, enterprising business men who now control this trade, the boot and shoe industries of Canada have a prosperous career before them.

The manufacture of felt boots, which has been commenced since 1878, has grown very rapidly. Five of these works were visited, employing nearly 400 workmen, and all seemed to be doing a profitable trade.

13th. Miscellaneous Manufactures of Metals.—In this class, 33 industries furnish figures; 18 of these were started prior to 1879 and 15 since. The class comprises the manufacture of wire goods, chandeliers, silver platedware, pins, spring beds, brass work, lanterns, pressed and stamped tinware, bird cages, watch cases, lightning rods, rivets and type.

	No. of Factories.	No. of Hands.	Yearly Wages.	Value of Product.	Capital Invested.
			\$	\$	\$
Same factories..	1878—18	990	310,400	1,092,000	795,000
New do .....	1884—18	1,275	408,600	1,503,500	1,032,000
	1884—15	522	190,200	762,500	419,000
Increase of 1884 over 1878.....	15	807	288,400	1,174,000	666,000

The increased number of hands in this class reaches 81 per cent. As the kind of help employed in the various industries of this class is very similar, the contrast in wages for the two periods is given. In 1878 the average wages amounted to \$313.53, and in 1884 it was \$333.92, an increase of \$19.69.

In the manufacture of stamped tinware considerable progress has been made during the past six years; deep stamped ware, which has been added in that time, supplies a considerable portion of the production and employs quite a number of the hands. Spice packages, which were formerly imported, filled, are now being made in Canada. A New York firm, who are engaged in putting up sardines in New Brunswick, and who, previous to the change in the tariff, imported the decorated tin plates used in making the boxes, from the United States, now purchase these plates in Canada. The excessive charges in some classes of freight is a source of trouble to a few of the industries in this section. In some few of the industries, manufacturing bird cages and tinware, complaints are also heard of the action of the United States Government in granting a rebate of 3 per cent. on the gross amount on all of this class of goods exported from that country. By means of the advantage which this rebate gives, it is said that \$200,000 worth of this work was imported into Canada in one year. In another class of goods it is stated that while the article is invariably sold at thirty days, the invoices are made out at sixty days, in order to avoid the additional duty of 5 per cent., which is placed on all sales for cash. The competition in this article is also from the United States. But in spite of all these causes for discontent, the increase made in the manufacture of this class of goods is very satisfactory.

14th. Miscellaneous Manufactures of Paper.—Twenty-six industries furnish statistics in this class, of which number 14 are old established, and 12 were started since 1878. The class includes paper and pulp mills, the manufacture of paper bags and boxes and wall paper.

	No. of Factories.	No. of Hands.	Yearly Wages.	Value of Product.	Capital Invested.
	1878—14	697	\$ 246,500	\$ 1,338,100	\$ 1,218,500
Same factories.....	1884—14	912	346,500	1,777,500	1,368,500
New do .....	1881—12	640	188,200	1,137,000	793,000
Increase of 1884 over 1878.....	12	855	288,200	1,576,500	943,000

The increased number of hands employed amounts to 122 per cent. No comparison can be made between the wages of the two periods, as the rates vary so much between the men employed in paper and pulp mills and the small help engaged in the manufacture of paper boxes and bags, and the growth in the different lines not being uniform.

In the manufacture of paper the foreign competition now felt is from Great Britain and Germany, while in wall paper and paper boxes it is from the United States. The manufacturers of wall paper, particularly, complain of the unfair competition which they have to fight. Papers which are sold in the United States at 14c. have been jobbed off in Canada at 5½c. in order to close out lines. The patterns are changed each year and it is therefore necessary to have as little stock as possible carried over from one season to another. If the remnants of the season's make were sold at low prices in the United States market it would have an injurious effect on the prices the following season, so, in order to keep up prices there, the goods are brought into Canada and sold in many instances for just what dealers are prepared to offer. This industry has grown considerably during the past few years and the papers now being produced in Canada are so tasteful in design and beautiful in colors that many of the patterns might almost be styled works of art.



A fine new mill has this year started operations at St. Jerome, at which writing papers are being made. This is the first home attempt made to supply the Dominion with that class of paper, the consumption of which is very large, and has hitherto been entirely supplied from outside sources.

15th. Manufacture of Musical Instruments.—In this class, 23 industries furnish figures, 12 of them being started prior to 1879 and 11 since that year. The class embraces the manufacture of pianos and organs and parts thereof.

	No. of Factories.	No. of Hands.	Yearly Wages.	Value of Product.	Capital Invested.
			\$	\$	\$
Same factories.....	1878—12	289	120,700	345,000	159,500
New do .....	1884—12	956	447,700	1,397,000	647,500
	1884—11	291	134,900	424,000	152,500
Increase of 1884 over 1878.....	11	958	461,900	1,476,000	640,500

The increase in the number of hands in this class has reached the marvellous figure of 331 per cent., while the wages of the employees also show a gratifying increase, having risen from \$417.64, in 1878, to \$467.20, in 1884, a difference of \$49.56.

As stated in the opening sentences, this trade received great impetus from the increase made in the duties in 1879, and has continued to grow and prosper up to the present date. No other industry better deserves success. The men who were the pioneers of the trade in Canada struggled bravely to overcome the disadvantageous position in which they were placed. They invested their money and spent the best years of their life in an endeavor to promote the growth of this branch of manufacture, meeting with but indifferent and almost disheartening results. Now, owing to the wise fiscal policy prevailing, they are reaping, to some extent, the benefit which they so earnestly, but ineffectually, strove to obtain before 1879.

The industry is one which largely benefits the country, as it employs very few hands who are not skilled mechanics, and mechanics who receive the highest average rate of wages of any class of operatives in the Dominion. If the Government had no other result to point to, as an effect of the change of tariff, than that achieved in this industry, it would in itself be a lasting monument to the wisdom and foresight of the people in Canada in approving and the Ministry in adopting the policy of encouraging native manufactures.

16th. Manufactures of Clothing.—Sixty-one industries furnish figures in this class of which 37 were established prior to 1879, and 24 have started since. The class is an extensive one, and includes the manufacture of woollen and cotton clothing, silk, felt, cloth and straw hats and caps, corsets, suspenders, gloves and mitts, shirts, collars and cuffs, furs, hoopskirts, &c.

	No. of Factories.	No. of Hands.	Yearly Wages.	Value of Product.	Capital Invested.
			\$	\$	\$
Same factories.....	1878—37	3,602	812,800	4,217,500	2,977,500
New do .....	1884—37	5,674	1,307,000	6,641,000	3,973,000
	1884—24	1,165	246,400	1,327,700	456,000
Increase of 1884 over 1878.....	24	3,237	740,600	3,751,200	1,451,500

The increase in the number of hands employed is within a fraction of 90 per cent. No comparison is made in the average wages of the two periods, owing to the wide range which this class covers, which prevents anything like an accurate result being obtained.

Woollen clothing establishments were the hardest class of industries to obtain anything like accurate statistics from, of the number of hands employed, by reason of the manner in which the work is performed. The operatives are only, to a very small extent, employed on the premises. The great bulk of the work is given out to parties who employ their own assistants, and these parties it is almost impossible to reach. They employ from four or five up to thirty and forty hands and, moreover, they do work for more than one firm, so that while one large house may have in its employment a thousand hands, the whole of those hands do not work exclusively for that house. In consequence of this difficulty, the hands in a few of the larger clothing industries are based, to a certain extent, upon the amount paid out in wages by the firms, and the figures may not be absolutely correct. They are as near to being so, however, as it was possible to get them under the circumstances. Of course it will be understood that this applies only to a few of the larger clothing establishments, which form but a small portion of this section; in the other branches of this class, as the hands work on the premises their number was readily arrived at.

The woollen clothing used in Canada was largely imported from Great Britain up to 1879, and ever since that date the importations have continued to some extent in the lower grades of goods, but Canadian manufacturers are rapidly occupying the ground.

In gloves and mitts there is some European competition still felt.

In furs, all the finer goods are now made in Canada, but in the lower priced goods there is some competition from the poorly paid labor countries of Europe.

Some shirts and collars are still imported from the United States, it is said considerably below their true value.

The felt hat trade is endeavoring to compete with the labor of some of the prisons in the United States, the products of which are injuriously affecting the trade in the lower grades, these being the only kind made by the convicts.

17th. General Miscellaneous Industries.—Sixty-five factories furnish statistics in this class, of which number 32 were started prior to 1879, and 33 have been established since. This class necessarily includes a wide range of manufactures, the principal ones being, sugar refining, silk, clocks, whips, wringers, emery wheels, gunpowder, buttons, preserved fruits, paints and varnishes, glass and pottery, mattresses, oil cloth, window shades, cork cutting, rubber-clothing, jute, spices, &c.

	No. of Factories.	No. of Hands.	Yearly Wages.	Value of Product.	Capital Invested.
			\$	\$	\$
Same factories.....	1878—32	1,164	332,900	1,848,300	1,491,500
New do .....	1884—32	2,143	647,800	3,255,000	1,993,000
	1884—33	1,410	473,400	8,306,500	2,129,500
Increase of 1884 over 1878.....	33	2,389	788,300	9,713,200	2,631,000

The number of hands in this class has increased by 213 per cent. No comparison can be made in rate of wages, owing to same reasons mentioned in other classes.

Amongst the most important of the industries in this class is the manufacture of silk. The one factory engaged in this industry has trebled its capacity since 1879, and is now doing the great bulk of the Canadian trade in the lines which they manufacture, viz. threads and ribbons. One factory was started a few years ago for the manufacture of piece goods, but unfortunately the venture did not prove a success. It is expected, however, that another attempt in this direction will be made in a very short time, and, it is hoped, with more satisfactory results.

The button factories are turning their attention to exports, and one firm in this line succeeded in disposing of \$12,000 worth of their goods in the United States during the first six months of 1884.



The sugar refineries employ a large number of the hands in this class, and it is owing to their figures being in this section that the production is so large. The prices of both raw and refined sugars were, at the date of the visit to those industries—September last—lower than had been the case in any previous year since 1852.

The other industries in this class do not require any special mention here.

18th. Cotton Factories.—The number furnishing statistics is 17, 4 of which were in existence prior to 1879, and 13 have been started since.

	No. of Factories.	No. of Hands.	Yearly Wages.	Value of Product.	Capital Invested.
	1878— 4	1,361	\$ 276,000	\$ 1,151,000	\$ 1,800,000
Same factories .....	1884— 4	2,126	445,000	1,872,000	3,350,000
New do .....	1884—13	2,375	502,500	2,530,000	3,448,000
Increase of 1884 over 1878.....	13	3,140	671,500	3,251,000	4,998,000

The increase in the number of hands in this class has reached 210 per cent. The wages averaged \$202.79 in 1878, and \$210.28 in 1884.

All the factories in Ontario and Quebec were visited and statistics obtained from each of them, with but one exception. The manager of the Dundas mill explained that he had no authority to give any figures with reference to the industry, without the consent of the directors, and as none of these were easily found, and the date of closing the enquiry, in order to prepare the report, had arrived, this mill had to be left out. From what was learned through local sources it may, however, be said that this will not affect the general result, as there has been but little change in this mill since 1878; the amount of work turned out and the number of hands employed were probably about the same in 1884 as in 1878.

It will be noticed at a glance what a remarkable difference exists in this class of industry between the two periods. Although, for the past year or eighteen months, cotton manufacturing has been in a depressed condition, and mills have, in but few cases, worked the whole of their machinery or employed a full staff of operatives, there is still no comparison possible between the years 1878 and 1884. It is not considered by the writer to be any part of his duty to discuss, in this report, the profits or losses made by proprietors or holders of stock in these mills, nor, indeed, has he the information which would enable him to do so intelligently, but only to treat of the matter from an industrial standpoint. Has the object which the Government had in view in imposing additional duties upon cotton goods been achieved? Has the changed fiscal policy been the means of providing employment for Canadian citizens in this branch of industry? Looking at the matter in this light, there can be but one answer. The tariff has had its full effect in this direction. In spite of the fact that some mills were closed down for a portion of the year 1884; in spite of the fact that some of their machinery is standing idle; despite all the drawbacks which the trade has had to contend against, there were employed in that year in this industry in the factories of Ontario and Quebec—leaving out of sight the large mills in the Maritime Provinces—3,140 more operatives than found work in 1878, and, moreover, although the hands employed have been working, in but too many cases, on short time, and although, by reason of the improved machinery now in use, a smaller and cheaper class of labor can be employed, the figures show that the average wage paid was higher by \$7.50, in 1884, than it was in 1878. May it not, therefore, with confidence, be asserted, that the object of the Government has been fully achieved, that work has been more plentiful and wages higher, even in this much-talked-of industry, than was the case previous to the change of tariff?

Many lines of cotton goods are now being produced in Canada which were not made prior to 1879, and amongst the most important of these is printed goods. The year 1884 witnessed the production of the first piece of printed cotton ever made in

Canada; and, very appropriately, the presses were first made to revolve on the natal day of the Dominion. When it is considered to what enormous proportions this line of industry has grown in Great Britain and the United States, and the possible future which the trade may have before it in Canada, it is deemed of sufficient importance to reproduce here a portion of an article written at the time of the visit to Magog:—

**"THE PIONEER PRINT MILL OF CANADA.**

*"(From the Canadian Manufacturer.)"*

"The overflow from Lake Memphramagog forms the River Magog, and, following the windings of its bed, some half mile from the village, we come suddenly upon a 'tall chimney,' which denotes the location of the first print mill erected in the Dominion. Just above the mill is the dam, 400 feet long and 16 feet high, constructed of granite and timber. The raceway, extending from the dam to the mill, having a surface width of 50 feet and 12 feet depth of water, is stoned up until the mill is reached, and then the water is confined between walls of solid, square-cut blocks of granite, that present a very substantial appearance. It is intended, ultimately, to have three wheels, but at present sufficient power is obtained from one large wheel of 250 horse power. On the dam and canal the company have already expended \$45,000. That portion of the mill which contains the printing presses is a two-story brick building, on a granite foundation, in the form of an L, one side being 300 feet long by 55 feet deep, and the other 250 feet long by 80 feet deep, the whole being well lighted and ventilated. The presses are six in number and of very large size, built with all the modern improvements, by Mather & Platt, of Manchester; the largest one is capable of printing in six colors. The presses are kept constantly at work and their united capacity is from 30,000 to 50,000 yards per day. A very large stock of rolls have been purchased, and the number of patterns which can be produced is between 5,000 and 6,000; new rolls are constantly being added, as the management fully comprehend the necessity of keeping up with the times in this important particular. In the same building the boiling and bleaching processes are carried on, and one large room is devoted to pressing and folding the cloth ready for market. In this room some very handsome patterns were noticed, and the female mind which could not be suited with some of the numerous patterns on view there would be a capricious one. The standard of cloth is the same as the English, 64 threads to the inch and 28 inches wide after printing. Leaving this building, we are next shown the cloth mill, a handsome three-story brick building, 337 feet long by 105 feet wide; this building is in an unfinished state. It was commenced when all the cotton factories were employed to their fullest extent, and it was proposed to put in 800 looms for the manufacture of print cloth, but when it was found that outside mills were producing more than the country required, the management of the print works wisely decided to allow this part of their business to remain in abeyance until some of the surplus stock of other mills had been used up. Accordingly, the cloth now being printed is doing much towards relieving the market of the overplus of grey cotton. All the energies of the company will, for some time to come, be devoted to printing alone, so that no attempt will be made to finish the larger building or to stock it with machines. Although the machinery is all driven by water power, a considerable quantity of steam is required in the process of printing the cloth. The consumption of coal will be about 200 tons per month. The number of hands at present finding employment is 100, of whom 50 are heads of families, and the monthly pay-roll is a little over \$3,000. The print mill is supplied with 250 incandescent electric lamps, of the Edison-Hopkinson patent."



Totals of the whole of the classes :—

	No. of Factories	No. of Hands.	Yearly Wages.	Value of Product.	Capital Invested.
			\$	\$	\$
Same factories.....	1878—467	27,869	8,174,900	34,131,100	26,160,500
New do .....	1884—467	42,080	12,870,900	53,554,500	36,647,400
	1884—258	13,453	4,040,900	23,712,600	11,777,700
Increase of 1884 over 1878.....	258	27,664	8,736,900	43,136,000	22,264,600

The increase in the total number of hands in the factories visited amounts to, as nearly as possible, 100 per cent. The wages have increased 106 per cent.; or, putting it in another way, the wages averaged in 1878, \$293.33, and in 1884, \$304.53, an increase of \$11.20 per hand. The increase in the value of products was 126 per cent., and the capital invested increased by 85 per cent.

These figures show that the past six years have witnessed a marvellous growth in all branches of Canadian manufactures. That, during the progress of that growth, errors of judgment have occurred and blunders been committed, caused by want of experience, it would be idle to deny. But the requisite experience is being rapidly acquired, and may be depended upon to prevent similar errors in the future.

Figures of 7 factories, which started up in 1878, and whose figures for that year would be incomplete :—

	No. of Hands.	Yearly Wages.	Value of Product.	Capital Invested.
1884 .....	323	\$66,600	\$375,000	\$127,500

Figures of 10 factories which, although established before 1879, were, for various reasons, unable to furnish statistics for 1878 :—

	No. of Hands.	Yearly Wages.	Value of Product.	Capital Invested.
1884 .....	504	\$177,200	\$624,900	\$561,000

It has been somewhere stated that no articles are now manufactured in Canada which were not made here prior to the change of tariff. Even if this were true, it would be no argument against the fiscal policy, as it has been proved that the effect of the change has been to so largely extend the operations of the old established industries that for every operative engaged in manufacturing pursuits in 1878 two are so employed now. But the statement has not even the merit of truthfulness, as the following list of articles now made in Canada, which were not made here in 1878, will show: Iron bridge building, sugar-refining, cotton-printing, rice-hulling, and the manufacture of cutlery, emery wheels, pins, clocks, haircloth, enamelled oilcloths, jute, felt goods, organ reeds, writing papers, silver tableware, organ and piano keyboards, Britannia metal work, cashmere and other dress goods, glucose, steel, and many lines of textiles, in both cotton and wool.

One or two works which were in operation in 1878 and are now closed down were met with, the largest of which was the bolt works at the Humber River. This failure is much to be regretted, as it threw out of employment a large number of mechanics and workmen; but it must be remembered that the bolt works which was in operation on Frontstreet, Toronto, in 1878, was a very different establishment from the one at the Humber, which closed down last summer. In 1878 the works were run on a comparatively small scale; the number of men and boys who then found employment would be about 20 or 25, so that for the purpose of such a comparison as is made in this report only this smaller number could be deducted from the number employed in 1878. The Kingston locomotive works employed in the neighborhood of 150 hands in 1878, and is now only furnishing employment to about 30. The manager of these works was, unfortunately, away from home during the time the Kingston works were being visited, and for that reason no reliable data was

obtained with reference to the works. Subject to correction, however, it may be stated that even during the present dull year as much wages would be paid out and as much value produced as in 1878, because up till the end of March 400 hands were engaged in this establishment. The car works here were also closed down, but as this industry was not in existence in 1878, it makes no difference in the comparisons of this report. No figures were obtained from the Canada Felt Hat Co., Hamilton, which is doing very little just at present, and which was also in the same position in 1878, though during the intervening years a fair business has been done and a considerable number of hands employed. As an offset to these, some works were visited which are just starting up and could therefore furnish no statistics. Amongst these may be mentioned the rubber works and sugar and syrup refinery at Toronto; Rosconi Woollen and Cotton Manufacturing Co., at Acton Vale, Que.; winey mill at Brantford; paper and pulp mill at Sorel, and the Taylor Manufacturing Co., at Montreal. These works together would probably employ over 300 hands, and, with a few others in like position, would fully offset any little loss there may be in factories which were in operation in 1878 and are now entirely closed down.

The year just closed could hardly be considered the most favorable time for the Government to select to obtain statistics with reference to the general manufacturing trade of the Dominion. The depression which exists in all commercial countries, which is felt so severely in Great Britain and the United States, was certain to have some effect in Canada. The years 1882 and 1883 were probably the most successful periods ever experienced in the history of this country. Every class of industry, every branch of business, was kept going to its utmost capacity; but by the end of 1883 a falling off became apparent, and from that time until the fall of 1884, a retrogression took place which, it is now firmly believed, has been stopped. A much more hopeful feeling prevails at the present time, and with the care and caution which good business men are expected to exhibit called into play in trade matters, a successful if not a brilliant season may be looked forward to for 1885. That this success will spread itself over the manufacturing industries there is every reason to believe. Stocks have been very much depleted, and manufacturers are, therefore, in a position to secure the benefit of the first wave of the commercial revival. They are now in a position to supply the wants of the people in most branches of industry. The articles produced by the artisans of Canada in the various lines of manufacture are fully equal to the products of industrial establishments in any part of the world. The mechanical appliances provided by the factory owners of the Dominion are the best that the skill of man has devised, and there is therefore every reason to firmly stand by the policy which has enabled this skill and this machinery to be brought into active use in our own beloved Canada. If that policy is sustained the future prospects of the manufacturing interests of Canada are assured; periods of dullness, as well as of extraordinary activity, may reasonably be anticipated, but the general result must be upward and onward. Take away that reasonable, and, in our trade position, necessary, measure of protection which is now enjoyed, and the effect must be an instant and utter obliteration of a very large portion of the capital now engaged in that pursuit, and disaster, distress and misery to the wage-earning classes.

I have the honor to be your obedient servant,

A. H. BLACKEBY.

#### REPORT OF EDWARD WILLIS, ON THE MANUFACTURING INDUSTRIES OF CERTAIN SECTIONS OF THE MARITIME PROVINCES.

TOGETHER WITH APPENDICES CONTAINING NOTES AND TABULAR STATEMENTS OF THE  
WORKING FORCE AND WAGES PAID IN 1878 AND 1884, AND ALSO THE  
INVESTED CAPITAL AND ANNUAL OUTPUT OR PRODUCT.

Sir LEONARD TILLEY, K.C.M.G., Minister of Finance, Ottawa :

Sir,—In conformity with your instructions, I entered upon the work of securing information relative to the condition of the industries in such portions of the Maritime



Provinces as time would permit me to visit, with special reference to the number of persons employed in 1878 and 1884, and the average rate of wages paid to them.

I commenced operations in the city of St. John, extending my labor to the city of Portland and to the outlying portions of the county of St. John.

### GENERAL REMARKS.

With a view to thoroughness, I made my investigations in St. John and Portland embrace everything, large and small, that could fairly be considered industrial, except farming operations. Aside from the transient class that obtained employment in St. John after the fire of 20th June, 1877, remained about a year and a half, and then departed, leaving, in many instances, no trace behind save the legacies of unpaid bills for material, labor, &c. I think I have gained, not only accurate information as to the number of persons indebted to their connection with industrial pursuits for a living during the two periods, and the amount of the earnings of the class, but a pretty accurate idea of the general condition of most of the industries at the present time, and an insight into their perplexities and their sources of encouragement. This information I submit, in connection with this report, without embellishment and in the order and form in which it was gathered.

After completing the work of collecting information in St. John city and county and the city of Portland, I proceeded to Moncton, Westmoreland county, N.B.; thence to Charlottetown, Summerside, &c., in Prince Edward Island. In these localities, as well as in Halifax, Dartmouth, Truro, New Glasgow and Amherst, in Nova Scotia, and in Sackville, Sussex, Woodstock, Fredericton, Marysville, Gibson, St. Mary's and Douglas, in New Brunswick, I enlarged the enquiries so as to embrace two features not named in my original instructions.

In Halifax I visited the leading factories and also fair types of the general industries of the place. The remaining pursuits I included in a general survey, making such estimate of their operations, employment, strength and labor value as my experience led me to consider correct.

Taking a note of the work done, the indications are plain that there has been, on the whole, a marked advance in industrial pursuits, and in material progress generally. Even in St. John, notwithstanding the exceptional circumstances which surround the year with which 1884 is contrasted, evidence of fair progress is not wanting, though the business stringency of the year just passing away makes it difficult for persons unacquainted with industrial methods to give full credence to the statement.

The careful observer will note almost everywhere that there has been a vast increase, within a few years, in the number and variety of machines and labor-saving appliances in factories and workshops. The managers of the establishments, if at all candid, will freely tell the enquirer that with the use of machinery they are able largely to increase the producing power, and with very little addition to their expenses. Hence, in most of the establishments of any considerable extent, and, indeed, even in those of moderate dimensions, the mere statement of the number of employees will not give to the reader an accurate idea of the advances made in a few years. Nothing but a personal and painstaking visit on the part of those who can carry their mind back ten, fifteen or twenty years, and contrast the producing capacity of the respective industries then with their condition now, will do this in anything like a thorough manner.

In many of the establishments in the several localities, regardless of their political leanings or of their friendship for this or that tariff system, I endeavored to get at the real views of the proprietors as respects the National Policy, which so many throughout the Dominion hailed with delight at the outset, and which, it is asserted, not a few view with dissatisfaction now.

The result will be found set forth in detail in the statements of the parties interviewed. A few, as will be seen, dislike the policy; some acknowledge partial benefits; some give full credit for success, and others are too candid to blame the policy for disasters caused by errors in judgment, lack of foresight, or unlooked for troubles

in unexpected quarters. In many of the instances in which the policy is viewed favorably, it is shown that it has enabled the parties to cope successfully with the foreign producer, and to improve and increase their respective appliances in a way which will qualify them to profitably supply the needs of the future. But even in the class credited with hostility to the National Policy, there are men with considerable capital invested in enterprises nourished by the policy.

Evidences of friction in the working out of the National Policy have been carefully noted.

The bad crops of the past two years, over-production, the diminished purchasing power of the industrial classes from this cause, the locking up of capital by investments in non-productive enterprises, over-production in certain industries, depression in the lumber trade, and the revolution which the substitution of steamers for sailing craft has brought about in the carrying trade of the world, are among the leading causes variously assigned for the troubles which have clustered around the year 1884.

Tabulated statements containing the number of men, boys and females employed in 1878 and in 1884, in the various industries in the several localities visited, the average rate of weekly wages paid to each class, and, in all cases, except St. John, in which enquiries had been completed at the time instructions to obtain it came to hand, the amount of capital invested and the annual output, are embraced in the papers herewith submitted. These will well repay careful examination. Few persons who have not gauged the extent of our manufacturing enterprises can form any notion of their importance as a prominent factor in the commercial life of the Dominion; and fewer still among even the fairly well-informed in our cities and towns have anything like an adequate idea of the number of persons who receive employment from and live by the prosecution of manufacturing enterprises. Anything which sheds light on the subject in a fairly accurate form, and the statements furnished are as nearly correct as anything of the kind can well be made, must prove useful, at least to those who appreciate at its proper worth the value of statistical information.

In some instances, as will be found more particularly set out in the comments of manufacturers, it is made matter of complaint that articles which form essential parts of other manufactures, are ranked among the higher class tariff articles, when there are no factories now producing them, nor, from the nature of the product and other circumstances, are there even likely to be factories producing them, in the Dominion. The contention is that it is inimical to the interests of present manufacturers to keep these materials in the higher dutiable class, and that the duty should either be taken off or reduced to the lowest figure consistent with a due regard to the raising of revenue for the ordinary purposes of carrying on the government of the country.

There are other cases in which manufacturers complain that the product of the Dominion in certain new lines, which products enter into the make-up of some other manufactured articles, are not, in some instances, of as good quality, it as low in price, and in other instances neither as good in quality, nor as low in price, as materials of like description obtained from the older industrial establishments of the United States or of England. Of course, the complaints in this direction are not always free from unreasonable prejudices or objectionable pride. Manufacturers, in whatever section of the Dominion, engaged in the production of articles which enter into the make-up of other goods, should aim at excellence in workmanship and at moderation, consistent with safety, in the selling price, especially when it is borne in mind that they are aiming to gain control of their home market, and that the tariff has been framed with a view to enable them to do so.

In what may be termed standard employments, the rate of wages is not a gauge of progress. In most cases the wages remain with little or no alteration, additions to the working force and the introduction of more and better machinery, serving to indicate advancement.

### THE SUGAR REFINING INDUSTRY.

The sugar refining business being an important one, perhaps the most so of any in the Dominion, and the capital needed to move it of vast proportions, the merest



fraction in figures being an immense gain or a severe loss, it is not unnatural that those entrusted with its management should be found generally more than ordinarily cautious in supplying information bearing upon their industry. There are four well equipped sugar refineries in the Maritime Provinces—one in Moncton, N.B., one in Dartmouth, N.S., one within the limits of Halifax city, and one outside of the city limits, on the western bank of the north-west arm. The latter refinery is smaller in size and capacity than the others. All four establishments were in operation when visited, even though at the time refined sugars were ruling lower in price than for many previous years. The managers of the respective establishments did not appear to be at all despondent at the condition of the trade. They indulged a cheerful, hopeful spirit, seemingly confident that the troubles which had arisen under a new order of things were not insurmountable. The low prices of sugars during a great part of the year are said to be due to the steady depression in the sugar markets of the world; and this depression is attributable to a variety of causes, included in which is the enlarged sugar production on the continent of Europe and the Government bounty system prevailing in Germany. Refiners have for some time been unfavorably affected by this state of things, but they are doubtless comforted by the prospect of an early change for the better. The production of sugars, the world over, is to-day largely in excess of any former time; but it is equally true that the consumption of sugars has largely increased during the past few years, rising, in England, from 15 lbs. per head, in 1840, to 66 lbs. per head in 1880, and still higher in later years, and the fair presumption is, that consumption will continue to increase. In the production of beet sugar, it is stated, on the authority of one who claims to have fully investigated the subject, that the refining process has reached a point which will admit of no improvement; while in the case of the bulk of cane sugars, that high standard of excellence has not been reached. If this be so, there is room for a further exercise of skill and care in cane sugar production, the effect of which, coupled with the fact that cane sugar is produced at less cost than beet sugar, ought to tell measurably in the interest of those who prosecute the former industry, and that, too, without detriment to consumers.

### THE COTTON INDUSTRY.

This industry has for some time been in rather an unhealthy condition. The decline is due to a number of causes. First, to the failure of certain important crops for a couple of years, and to the depression in the lumber trade; secondly, to the miscalculation of manufacturers as to the consuming powers of the world's cotton centres in a time of short crops and general business depression; thirdly, to the large sameness in the cotton product of the Dominion, and the shortsightedness of usually shrewd men, in overlooking the variety requirement when taking advantage of the stimulating influence of the tariff; fourthly, to the too great dependence placed upon special centres to distribute the manufactured goods, and the inadequate efforts to secure more extended markets; fifthly, to the high price ruling for raw cotton, due to the shortness of the cotton crop of the past year or so, and the brisk demand for raw cotton by producers, who, blind to a state of facts with which they should be familiar, kept glutting the market and burning their fingers; and lastly, to the depression in trade generally all over the world. These are facts which stand undisputed and indisputable. Indeed, they are admitted, by those directly interested in the industry itself, to be the salient causes of the trouble. The tariff, of course, gave a stimulus to the industry; but the tariff is not fairly blameable, as declared by one cotton factory manager, for the "excess in the number of factories," nor for the "shortsightedness of keen business men." The check given to the cotton industry, during the past year or more, will doubtless result in greater prudence in manufacturing for the needs of the future, greater diversity in the character of the articles produced, greater efforts to extend business in countries not now reached, and greater caution in trusting to the ability of one or two men to control and distribute the cotton product of the Dominion, or any considerable portion of it.

### THE BOOT AND SHOE INDUSTRY.

The boot and shoe business in New Brunswick and Nova Scotia is not so flourishing as in some former years. The general depression has retarded its progress, and over-production, which gives rise to keener competition, has cut into prices. Employers and workmen suffer in consequence, and the general public enjoys only a seeming benefit. Complaints among employers as to the National Policy are neither very numerous nor very serious. They have special reference to the duties charged on French calf skins, serge, elastics and findings generally, the greater portion of which is not manufactured in the Dominion nor likely to be. It is claimed that on such of the articles as cannot be produced in the Dominion the duty could be reduced with profit to the manufacturer and without detriment to the consumer; and that on the articles not made in the Dominion, but likely to be in time, the duty might be reduced until home producers made their appearance. But all, even in the boot and shoe trade, do not think this last change so needful as the former one.

### THE FURNITURE INDUSTRY.

The majority of furniture manufacturers are well pleased with the National Policy, but parties who devote special attention to the more costly kinds of furniture are pretty generally agreed that the duties on such articles as plushes, raw silks, curled hair, haircloth, mirror plates, Italian marble, &c., most of which are not now, and some of which, it is urged, can never be produced in the Dominion, should be reduced. Messrs. Gordon & Keith, of Halifax, and Messrs. Stewart & White, of St. John, may be regarded as interpreters of the sentiments of this class. On the other hand, Messrs. J. & J. D. Howe, of St. John, who do excellent work, but do not engage very extensively in the manufacture of luxurious furniture, though they profess to know all about the business, say that "inability to compete with the Ontario and Quebec people is due to incapacity rather than to any disadvantage in our position under the National Policy, or, indeed, geographically." This firm admits that there are several articles used by furniture men in manufacturing which are still dutiable; but it declares that "as furniture manufacturers are protected by a duty of 25 per cent., they cannot conscientiously complain." But in this view those who profess to be seriously pinched by the tariff in the direction named are not inclined to concur.

### THE NAIL AND TACK INDUSTRY.

The nail and tack trades are clearly benefitted by the tariff. The majority of those engaged in the trade are strong in their expressions of thankfulness that the policy was adopted, while the small minority have little to say in an adverse sense, for the very good reason that there is little, if anything, to condemn. The junior member of the firm of S. R. Foster & Son, whose views appear at length in the general notes from St. John, is a firm believer in the efficacy of a protective policy to help young industries, and outspoken in his declaration as to the damaging results to his own industry had no such policy been introduced in 1878. His views are well worth noting. In the case of Mr. Pinder, who is engaged in a special branch of the nail trade—the manufacture of horseshoe nails—there is a plea of a somewhat unusual kind presented. It has reference to the high duties levied on certain kinds of steel not made in the Dominion, and for which no domestic steel can be substituted, and to the manner of allowing drawbacks on his goods. He asks for a reduction of duty in the one case, and for such a readjustment as will cover the percentage of waste in manufacturing the nails in the other. In the notes attached to this report will be found a full statement of his case.

### THE IRON AND STEEL INDUSTRY.

The promoters of the iron and steel business have nothing in the way of complaint to make; nor is there much grumbling aside from that to which "hard times" and trade depression gives rise. In some instances, notwithstanding the disadvantage of dull times all over, a good trade is being prosecuted. The steel works and



the iron works of New Glasgow, the Star Manufacturing Co.'s Works, of Dartmouth, the Londonderry Iron Works, the several foundries throughout the Maritime Provinces, the Iron Knee Works of Messrs. James Harris & Co., and of Messrs. J. A. & W. Chesley, of Portland, and other prominent establishments, not only profess to be doing a fair business, but they display proof that there is something tangible in the claim. Of course, they would do a larger trade and a better business if the general trade of the country was not passing through one of those crises which seem to be of periodic occurrence. In some instances, peculiar circumstances aside from general depression, affect certain branches of the trade. In ship's work there is an undoubted drop so far as St. John, Portland and Quaco, N. B., are concerned, the revolution in the shipping interest caused by the introduction of cheap iron steamers and cheap iron ships, having paralyzed the building of wooden ships—an industry in which for many long years St. John stood proudly pre-eminent. But, of course, other industry will take the place of the declining one, other avenues of trade will be opened up, and in time the blank will be filled and the discouragements of to-day forgotten altogether, or remembered only as a regretful reminiscence.

### THE WOOD-WORKING INDUSTRY.

There is more activity displayed in the wood-working business than one would expect to find. The truth is that this industry is making more effort to secure fields for the product of the factories than almost any other. Those interested in the door, sash and blind factories are covering the home market well, because the National Policy enables them to do so; and then, success at home is enabling them to put forth vigorous efforts to compete for the trade of outside territory, Rhodes, Curry & Co., of Amherst; Brookfield, of Halifax; Risteen & Co., of Fredericton, and three or four in St. John and elsewhere furnishing notable examples.

### THE CORDAGE, ROPE AND TWINE INDUSTRY.

This business is enjoying a comfortable time. There are not many factories in the Dominion, but still the number is considered sufficiently large for the work required. A large amount of money is invested in this enterprise, and a great deal of capital is needed to carry it along. Those engaged in the industry are free to declare that the tariff is a great help; indeed, the manager of the Halifax ropewalk does not hesitate to declare that "if the country returned to the Cartwright tariff the works would be compelled to shut down."

### THE CLOTHING INDUSTRY.

The clothing trade is affected injuriously by the general depression, and to a very considerable extent. The purchasing power of their usual markets is curtailed, and Ontario and Quebec dealers are forced to throw upon a tardy market competitive goods at low prices. With a renewal of prosperous times this condition of unpleasantness is expected to pass away. The opening up and continued development of the far west will present new fields for the clothing factories, an improved condition of the home trade will enlarge the purchasing power of the people, and competition will not be forced down to the ruinously keen level. For this trade, as well as for others, a fair future is evidently in store.

### THE BREAD, BISCUIT AND CAKE INDUSTRY.

The bread and biscuit bakers, in some few instances, object to the National Policy *in toto*; but, in the majority of cases, they only look upon it with disfavor so far as it effects the price of the material used in bread-making, for which, it is alleged, they realize no adequate return from the consumer. There is a cry among all of the bread-bakers for "strong" flour, which they declare only Manitoba supplies, of a character resembling the strong grades of American flour. And, besides all this, there is complaint that Canadian flour is deficient in quality owing to unfavorable seasons, and unreliable in character because of want of

care in preparation. However, these delinquencies are not considered by the persons who urge them to be altogether irremediable. In one instance, that of a St. John biscuit baker, the plea presented is, that the increase of duty to double its former standard is hurtful on the ground that lard could not be got in the Dominion in the quantities desired. The same gentleman, however, acknowledges that the National Policy helps his trade much in the border towns. Messrs. Moir, Son & Co., the proprietors of the mammoth bread and biscuit works at Halifax, remark that the duty on wheat diminishes their gain on the manufacture of flour in their own mill at Bedford, and that the duty on hard coal, used in their bakery, adds to the cost of production; but the senior member of this firm is frank enough to say that "one can't expect everything in his own favor," and "other industries than ours must share in the benefit derivable from the protective system which the National Policy supplies."

### THE LUMBER INDUSTRY.

The lumber trade has been passing through a longer critical period than almost any other. The glutting of the English markets, upon which our spruce deal manufacturers have largely depended, by our own manufacturers as well as by the manufacturers of other lumber producing countries, and the *under-consumption* to which the world's business troubles have given rise, have brought down upon the lumber-producing countries unpleasant results. Depression in this industry means depression in every branch of labor to the sustainment of which it contributes, and for a year or two this condition of things has prevailed. Upon the lumber trade, as upon many other industries, invention and time are working wondrous changes. Those engaged in lumber production are discovering that, as in the case of cotton, too much attention must not be given to the production of one line of goods. Diversity in manufacturing and diversity in markets are the wants of the times, and he who would best promote these ends would best help to revive the drooping spirits of the energetic class that hitherto has been dependent upon lumber and the work to which it gives rise for sustenance. In time, judging by present indications, some at least of our lumber operators will be engaged in the preparation of other classes of wood goods than spruce deals, and will give to other woods than spruce a prominent place in their field of operations. Spruce being a plentiful wood and easily manufactured, as compared with other woods, cannot well be superseded; but the form of its product can and will be diversified. With a revival of prosperity in general business the price of lumber will improve. This is the belief of many in the lumber sections of the Maritime Provinces, who still indulge the hope of seeing brighter times. From lumber operators there comes no special complaint about the National Policy, though this class is quite generally credited with unfriendliness because of the effect which it had, or is said to have had, at the outset upon certain articles which enter into the daily consumption of lumbermen. New Brunswick's "lumber king" makes no disparaging remark. He does not say that pork cannot be obtained in the Dominion of good quality and at a moderate price, nor that other supplies cannot be produced as good and as cheap as formerly. He, doubtless, holds to the opinion that, in supplying the wants of our lumbermen, as in other matters, the men of this Dominion ought by this time to be fairly proficient.

### THE PROVINCE OF NEW BRUNSWICK.

#### THE CITY AND COUNTY OF ST. JOHN.

With reference to the city of St. John, the starting point in this investigation, it may be needful to say here for the benefit of some under whose eye this report may fall, that it is the commercial capital of New Brunswick, and stands at the mouth of the St. John River; that it has a fine harbor open at all seasons, and connection by the Intercolonial Railway east and west, and by the New Brunswick Railway and branches, and the Grand Southern Railway with the interior and the west; and that the districts known as St. John and Portland, although under two



corporate systems, are really one in business and industrial life, and unitedly form an important commercial and manufacturing centre. The chief staples of this community in a long period of years were ships and lumber. The competition of iron steamers and iron ships with wooden craft in the carrying trade of the world, revolutionized the shipbuilding interest and destroyed the magnificent business which had made for many citizens of this place comfortable competencies, if not colossal fortunes. The demand for vessels of large tonnage is no longer what it once was, and the shipyards do not now resound with the busy hum of industrial life. An occasional large vessel finds her way from the blocks in one or another of the almost silent shipyards to supply some special trade requirement of the builder or his friends rather than to find an eager purchaser. The prostration of this trade in wooden ships—how important can best be appreciated by those engaged in shipping ventures—had naturally a detrimental effect upon the prosperity and progress of the peoples of the two cities. Commercial policies could not bring back the lost trade, Government edicts could not be made to shackle the wheels of progress, legislative enactments were unsuited to revivify “waning industries,” though capable of stimulating substitute employments. Towards the wooden ship trade, tariffs in this Dominion have always been considerate, but especially so in the industry’s declining period; and its prostration is not, therefore, chargeable against the policy framed to bring into life vigorous and healthy and profitable substitutes.

Along with, or closely following upon, the prostration of the trade in wooden ships, came spasmodic depression in the lumber trade. Either of the two troubles was enough to destroy anything but a strong commercial centre and a sturdy people. But they came not upon St. John singly, nor unaccompanied with other calamities. The fire king claimed tribute from the people of the rock-bound districts at the mouth of the St. John River, and two thirds of St. John city, acknowledging his demand, were on the 20th June, 1877, laid in ashes at his feet. Prior to that time industries of various kinds had been struggling into life. A small cotton warp factory was being cautiously worked; shoe factories were cropping up; rolling mills, foundries, machine shops, rope-walks, and what not, were fighting hard for position in the busy life of the place; but the fight with the competition from the United States superadded to the ordinary competition from Dominion communities, was too much for them. Striving hard, they managed in most cases to maintain a fair position, but they did not move onward with that degree of celerity which their promoters and friends expected. They worked hard, but merely for an existence, and without heart. The struggle was one of desperation. But there came a change at last. The National Policy dawned in 1878, and, though not meeting with a cordial endorsement from the trading people of St. John, was not without a goodly host of ardent admirers and warm friends. The sturdy mechanic rejoiced at its adoption, and the struggling manufacturer bade it hearty welcome. The enforcement of the policy gave new life, new energy, new heart to a people suffering from a trinity of calamities. New industries were started, and old industries were strengthened. The busy life of the place improved, and a prosperity, which seemed likely to last for years, loomed grandly up. In the rush of the time some short-sighted people counted too much upon the helpful character of a policy which was only intended, and could only be expected, to furnish “reasonable refreshment,” and they allowed themselves, partly by the stimulating influences of the policy and largely by the unnatural and transitory stimulation which business of every kind experienced during the hurried rebuilding of the fire-crushed city, to be carried to the verge of folly in many instances. This is not a new, nor yet an unnatural condition of things; it has been common to, and is linked in with, the history of communities and peoples everywhere. Over-production in special lines was the result in the St. John communities, and, to make the matter worse, the world’s business got into confusion, and general business prostration was added to the injury and the agony thus caused. The St. John people, just gathering a little strength from their succession of calamities felt the pressure; but they stood the shock remarkably well, though, of course, not without many business trials and some disasters. Yet, withal, the indus-

trial life of St. John still stands in fair condition. Compared with its state a quarter of a century ago, the shipbuilding interest excepted, it contrasts as does the giant oak with the sapling juniper. But a truce to mere words for the present. Let facts and figures engage attention for a time.

In the accompanying table, which is a condensation of more extended statements elsewhere appearing in connection with this Report, will be found figures and facts which, even a comparison with six years ago, the worst possible period in the history of St. John communities for critical analysis, do not make so bad a comparison as many, blinded by prejudice, swayed by misrepresentation, or influenced by occasional recurring disasters, would, perhaps, expect to see. The table embraces a

STATEMENT of the total number of hands employed in the various industries in St. John City and County, in 1878 and 1884, together with the total average weekly wages paid in the two periods.

Place.	Hands employed in 1878			Total average weekly wages, 1878.			Hands employed in 1884.			Total average weekly wages, 1884.		
	M.	B.	F.	M.	B.	F.	M.	F.	B.	M.	B.	F.
				\$ cts.	\$ cts.	\$ cts.				\$ cts.	\$ cts.	\$ cts.
City of St. John, east side.....	2937	348	856	28222 00	951 90	3030 85	2377	401	1142	22258 05	1099 71	4167 89
City of St. John, west side, or Carleton.....	659	112	62	5565 20	392 25	287 00	797	149	65	7137 70	530 50	297 50
Portland, including Indian town.....	1365	199	151	10913 80	670 50	419 00	1372	233	244	11510 70	784 35	901 75
Parish of Lancaster.....	734	137	.....	5257 56	472 00	.....	775	123	1	5677 20	546 00	3 00
Musquash.....	164	20	.....	1352 00	90 00	.....	134	10	.....	1194 00	45 00	.....
St. Martins.....	447	20	6	3736 80	51 00	18 00	451	.....	6	3376 80	.....	20 00
Simonds.....	306	19	13	2208 30	64 80	46 20	267	7	8	2369 20	21 20	30 00
	6612	855	1088	57255 66	2692 45	3801 05	6173	923	1468	53523 65	3036 76	5420 14

The total number of persons employed all over the city and county of St. John, at the various industries, with the exceptions already noted, was 8,555 in 1878, and 8,562 in 1884. The total weekly wages paid to the operatives in the respective years amounted to \$63,749.16 in 1878 and \$61,980 in 1884.

In the city of St. John (east side) the industrial force is not so large in 1884 as in 1878. This is clearly due to exceptional causes, as a little reflection will readily prove. In 1878 there were 1,151 persons employed as builders (carpenters and masons), painters, plumbers, marble workers, sash, door and blind makers, stone cutters and tinsmiths, employed in building operations, as against 461 in 1884, to say nothing of the crowd of workmen of one kind or another directly engaged in building construction, and the number indirectly employed to supply the needs of the building class. Then it should be borne in mind that the losses by the fire, which were not made up by insurance nor in any other form, deprived the city of a large amount of capital, a portion of which, it is proper to assume, would be invested in business which would give employment to a goodly number of the industrial class; that shipbuilding in 1884 may fairly be said to be at a standstill in St. John and Portland; and that the dullness in the lumber trade of 1884 diminishes the demand for the products of other industries.

The causes enumerated are certainly sufficient to account for the diminished industrial force of 1884, even if it could not with truth be said that the increased use of machinery in 1884, as contrasted with 1878, which largely increases the producing power with little increase in the force of the slow old-times methods, fairly presents a satisfactory offset in favor of 1884.

The total number of hands employed in the city of St. John (east and west sides) in 1878 was 4,974, and in 1884, 4,931. The wages at the respective periods were \$38,449.29 in 1878, and \$35,491.35 in 1884. Adding Portland, which, for the



purpose of this enquiry, might fairly be considered as part of the manufacturing St. John centre, the number of employees in 1878 would be 6,689, and in 1884 6,780. The wages in the two years amounted to \$50,452.50 in 1878, and \$48,688.15 in 1884.

In St. John (west side, or Carleton) there is an increase in the operative force of 1884 over that of 1878 of 178 persons, and an increase in wages of \$1,721.25 per week.

In Portland the excess of operatives in 1884 over 1878 is 134, and the excess of weekly wages \$1,193.50.

In the parish of Lancaster the force of workmen in 1884 exceeds that of 1878 by 28, and the total weekly wages of 1884 is \$496.64 more than 1878.

In Musquash there is a falling off in the force of 1884 as compared with 1878, to the extent of 40 hands, and in wages to the amount of \$203 weekly. This is due to the failure of Messrs. C. F. Clinch & Sons, and the stoppage of their saw-mill and lumber operations, which gave employment to a large number of hands.

In St. Martins there is a slight increase in the number of men in 1884 over 1878, a decrease of 20 in the number of boys, and a reduction in the weekly pay-roll of \$409.80. The drop in this district is largely attributable to slackness in ship-building.

In Simonds the working force of 1884 is less than that of 1878 by 56 hands, but the weekly pay list is larger in the former year than in the latter by \$111.10. Then, it is proper to remember that the increase in machinery and labor-saving appliances is much greater in 1884 than six years previously.

In order that the number of persons relatively employed in the different industries, together with the total average weekly wages of each class, might be ascertained at a glance, I made, at an expenditure of much time and labor, a concise compilation from the more extended tabular statements, which will give added interest to the value of the information. It is as follows:

**CLASSIFIED STATEMENT** of the several industries in the City and County of St. John, together with the number of persons relatively employed therein, and the total weekly wages of each class.

Industry.	Hands employed in 1878			Total average wages per week, 1878.			Hands employed in 1884			Total average wages per week, 1884.		
	M.	B.	F.	M.	B.	F.	M.	B.	F.	M.	B.	F.
<i>St. John, East Side.</i>				\$ cts.	\$ cts.	\$ cts.				\$ cts.	\$ cts.	\$ cts.
Auger manufacturer.....				6 00			1	1		8 00	4 00	
Asphalt and concrete layers, roofers and maufacturers.....	50			400 00			9			76 50		
Artists.....							3		1	72 00		12 00
Boat builders.....	4	2		36 00	6 00		4	1		33 50	3 50	
Boot and shoemakers.....	84	7	3	589 00	22 50	9 50	72	9	3	494 00	23 25	8 75
Boot and shoe manufs....	115	22	76	936 50	62 00	258 00	133	21	95	931 00	63 00	295 00
Barbers.....	31	3		255 00	9 00		31	4		257 00	10 50	
Brush and broom manufs.	16	7	12	128 00	21 00	36 00	17	9	13	135 00	23 50	38 50
Bedding manufs.....	8		1	48 00		4 00	12		2	84 00		7 00
Builders, carpenters and masons.....	592	1		6280 90	4 00		143			1541 00		
Bakers.....	36	5	2	286 00	13 00	6 00	30	3	3	241 00	9 00	9 50
Biscuit and cake bakers.	23	11		232 00	22 00		22	12	10	223 70	30 00	25 00
Butchers.....	56	6		416 00	15 00		64	9		516 00	26 00	
Brass founders.....	32	9		274 00	25 00		35	17		319 00	50 00	
Blacksmiths.....	28	1		216 00	2 00		25	9		198 00	25 75	
Blockmakers.....	18	3		141 00	6 00		17	4		141 00	14 00	
Boilermakers.....	20	5		200 00	20 00		30	6		330 00	30 00	
Brewers.....	7			56 00			8			72 00		
Bookbinders.....	24	4	13	201 04	6 50	36 06	24	11	16	265 70	25 87	48 99
Blind manufs.....							4	2		35 00	4 00	
Bluing manufs.....							4		2	32 00		6 00

CLASSIFIED STATEMENT of the several industries in the City and County of St. John,  
&c.—Continued.

Industry.	Hands em- ployed in 1878			Total average wages per week, 1878.			Hands em- ployed in 1884			Total average wages per week, 1884.		
	M.	B.	F.	M.	B.	F.	M.	B.	F.	M.	B.	F.
<i>St. John, East Side—Con</i>				\$ cts.	\$ cts.	\$ cts.				\$ cts.	\$ cts.	\$ cts.
Cabinetmakers.....	7			45 00			13	1		96 00	1 50	
Clothiers.....	30		272	258 00		791 00	23		219	222 00		638 00
Confectioners.....	10	6	13	78 00	16 50	37 50	15	7	15	122 50	19 50	44 50
Carriage and sleigh manufs.....	23	9		197 00	27 00		14	6		120 00	18 00	
Carpet makers.....	4		20	48 00		96 00	4	1	8	40 00	3 00	48 00
Cigar manufactory.....	5			45 00			7	8	19	70 00	27 00	45 00
Curriers.....	8	1		76 00	3 00		6	1		54 00	3 00	
Compressed yeast manuf.							1		1	9 00		2 00
Carvers.....	3			28 00			1			7 00		
Coopers.....	5			40 00			5			34 00		
Coffee and spice manuf..	2		2	18 00		6 00	2		2	18 00		6 00
Coppersmiths.....	2	1		18 00	2 00		2	2		18 00	4 00	
Cotton manufactory.....							52		59	252 20		286 15
Dress and mantle makers			39			112 50			90			290 00
Dentists.....	5			75 00			8			105 00		
Dyers.....	3	2	2	24 00	5 00	8 00	7	2	6	70 00	7 00	26 00
Engravers.....	5	1		52 00	1 50		5	3	1	69 00	12 00	6 00
Furniture manufactory...	70	22		646 00	55 00		56	23		518 00	57 00	
Fancy and plain workers			2			9 50			5			15 00
Florists.....	2	1	2	15 00	2 00	14 00	2	1	2	15 00	2 00	14 00
Fishermen.....	31			215 00			37			222 00		
Fish curers.....							8			64 00		
Fishing tackle manuf'ry	10			105 00			6	1		69 00	1 50	
Foundrymen.....	33	6		265 50	14 25		9	3		76 00	5 25	
Fence manufactory.....							10			90 00		
Galvanized iron workers	43	2		518 50	8 00		10	2		98 00	8 00	
Harness makers.....	25	5		200 00	10 25		20	8		162 00	18 75	
Hatters and furriers.....	10	5	19	129 00	13 50	76 00	12	7	20	145 00	18 50	80 00
Hair workers.....									9			33 00
Horseshoers.....	3			24 00			3			24 00		
Horseshoe nail manuf'ry	5	3		45 00	9 00		9	4		72 00	12 00	
Iron manufactory.....	12			93 60			12			111 60		
Iron knee manufactory...	15	5		150 00	22 50		7	4		50 40	14 40	
Ice dealers and cutters...	10			60 00			20			140 00		
Joiners.....	16			160 00			5			50 00		
Jewellers.....	1			7 00			1			7 00		
Laundrymen.....							2	1	24	16 00	3 00	96 00
Locksmiths & bellhang'rs	4			36 00			3	2		27 00	5 50	
Lead and saw workers...							14	3		196 00	12 00	
Lithographers.....	6			60 00			11	4		121 00	16 00	
Latst manufactory.....	3	2		36 00	8 00		3	2		36 00	9 00	
Milliners.....		1	62		1 50	277 10		1	65		2 00	295 00
Machinists.....	81	14		585 50	39 50		61	17		431 50	42 00	
Marble workers.....	35	1		344 50	2 50		11	2		104 50	5 00	
Mineral and soda water, lager and ginger beer manufactory.....	17			145 80			21	1		178 50	3 00	
Nail and tack manufact'y	70	13	2	472 50	43 00	7 00	103	14	2	811 50	49 00	9 00
Nut and bolt workers and carriage factory.....	15	5		135 00	10 00							
Church organ factory....							4	1		42 00	3 00	
Painters.....	119	4		1,117 00	14 00		75	7		823 50	21 00	
Paint manufactory.....	14			104 00			4			28 00		
Plumbers and gasfitters...	73	29		870 70	77 00		37	18		364 00	41 50	
Photographers.....	12		4	118 00		19 00	10	4	5	126 00	18 00	128 00
Piano manufactory.....	6			45 00			4			36 00		
Printers.....	97	39	2	933 70	102 60	5 00	106	41	3	1,008 40	103 10	11 40
Picture frame makers....	8	1		73 00	1 50		11	1		103 00	2 00	

\* Other horseshoers are classed with blacksmiths.



CLASSIFIED STATEMENT of the several industries in the City and County of St. John,  
&c.—Continued.

Industry.	Hands employed in 1878			Total average wages per week, 1878.			Hands employed in 1884			Total average wages per week, 1884.		
	M.	B.	F.	M.	B.	F.	M.	B.	F.	M.	B.	F.
				\$ cts.	\$ cts.	\$ cts.				\$ cts.	\$ cts.	\$ cts.
<i>St. John, East Side—Con.</i>												
Patent medicine manuf...			2			6 00	1	2	5	7 00	4 00	15 00
Platers.....	2	2		30 00	4 00		3	3		28 00	5 50	
Paper & paper bag manf	4		10	24 00		30 00	39	6	26	288 00	24 00	67 00
Paper box manufactory..		1	11		2 00	30 25	2	2	21	18 00	3 50	60 00
Roofers.....	6			48 00			6			48 00		
Refrigerator manufactory							3			27 00		
Riggers.....	51			642 00			31			440 00		
Rubber stamp makers...							1	1		10 00	1 00	
Soap manufactory.....	18			120 00			21			158 00		
Soap powder manufact'y							4	1	12	52 00	1 50	24 00
Stove and tinware manf.	38	15		302 50	48 50		37	18		352 00	39 50	
Shipbuilders.....	198	3		1,580 56	10 80		230			2,298 80		
Shipsmiths.....	30			222 00			23			185 75		
Saw manufactory.....	9	2		75 00	6 00		6			49 50		
Saw filers.....	5			42 00			4			27 50		
Sash, door and blind man-												
ufacturers and planing												
and moulding millmen	131	22		1,449 00	67 00		45	8		437 00	24 00	
Safe, vault, door, &c.,												
manufactory.....	6	3		60 00	9 00		5	1		45 00	2 00	
Sailmakers.....	9	2		93 00	3 00		3	4		33 00	10 00	
Stonecutters.....	115	2		2,061 00	6 00		98	4		1,632 00	12 00	
Shirtmakers.....	1	2	9	15 00	4 00	27 00	2	2	24	27 00	8 00	79 50
Spring, axle and edge-												
tool manufactory.....	8	2		72 00	7 00		12			102 00		
Seamless stocking manf.							4		16	52 00		36 00
Sausage makers.....	4			30 00			4			30 00		
Saw and planing millmen	6			36 00			6			36 00		
Steam and hot-water												
heaters.....							4			36 00		
Seamstress.....			1			5 00			1			5 00
Tinsmiths.....	23	5		175 50	10 50		9	5		70 50	11 50	
Trunk manufactory.....	14	5		134 00	8 50		14	5		104 00	11 50	
Taxidermists.....	1	2		12 00	5 00		2	1		22 00	2 50	
Tanners.....	28			212 70			30			260 00		
Tobacconists.....	3			28 50			5			47 50		
Threshing machine, &c.,												
manufactory.....							11			104 00		
Tailors.....	77	9	272	842 00	16 50	1,098 50	94	6	328	1,007 00	12 50	1,412 60
Undertakers.....	8			68 00			6	1		52 00	3 00	
Umbrella and chair re-												
pairers.....	1			7 50			2	2		14 50		6 00
Vinegar manufactory....	10			50 00			5			30 00		
Watchmakers & jewellers	29	7		340 00	21 00		30	8	1	345 00	23 00	5 00
Window cornice and pole												
manufactory & carpet												
makers.....	3		3	30 00		18 00	2		3	20 00		18 00
Wool manufactory.....							6			48 00		
<i>St. John, West Side, or</i>												
<i>Carleton.</i>												
Boat builders.....	17			165 00			10			117 00		
Boot and shoemakers....	8	4		60 00	16 00		6	3	1	49 00	11 50	3 00
Barbers.....	2			14 00			5			42 00		
Brushmakers.....	2		2	16 00		6 00	1	1	1	10 00	3 00	3 50
Builders.....	81			762 00			30			296 50		
Bakers.....	11	4		87 00	8 00		6	3		50 00	11 00	
Butchers.....	2	4		14 00	10 00		2	2		14 00	8 00	
Blacksmiths.....	1	1		8 00	2 50							

CLASSIFIED STATEMENT of the several industries in the City and County of St. John,  
&c.—Continued.

Industry.	Hands employed in 1878			Total average wages per week, 1878.			Hands employed in 1884			Total average wages per week, 1884.		
	M.	B.	F.	M.	B.	F.	M.	B.	F.	M.	B.	F.
<i>St. John, West Side, or Carleton—Continued.</i>				\$ cts.	\$ cts.	\$ cts.				\$ cts.	\$ cts.	\$ cts.
Block vessel repairers.....	10			150 00			8			120 00		
Manufacturing chemists.....	2			10 00			3	1		20 00	3 00	
Confectioners and pastry makers.....	1	2	1	9 00	4 00	3 00	1	2	1	9 00	5 00	3 60
Dressmakers.....									1			5 00
Fishermen.....	121	17		828 00	54 00		122	17		838 00	60 00	
Foundrymen.....	36	7		270 00	15 75		32	4		240 00	8 00	
Granite workers.....	55			466 20			128			1,081 20		
Milliners.....									4			16 00
Patent medicine manuf.....	1		3	12 00		6 00	1		1	12 00		3 00
Pottery manufactory.....	5	5		50 00	18 00							
Planing millmen.....	9	5		81 00	18 00		3			27 00		
Painters.....	9			76 00			9			90 00		
Saw millmen.....	200	60		1,497 00	240 00		290	110		2,452 00	407 50	
Sparmakers.....	8			72 00			7			63 00		
Shipbuilders.....	30			450 00			50			750 00		
Tailors.....	8	2	56	90 00	4 00	272 00	13	2	56	134 00	4 00	272 00
Tinsmiths.....	3	1		24 00	2 00		3	2		25 00	7 50	
Timber pondsmen.....	10			100 00			30			300 00		
Undertakers.....	2			18 00			2			18 00		
Watchmakers & jewellers.....	1			12 00			2	2		21 00	2 00	
Wharf builders, pile drivers and contractors.....	16			144 00			25			225 00		
<i>Portland.</i>												
Boat builders.....	3	2		30 00	6 00		2			20 00		
Boot and shoemakers.....	15	1		105 00	2 00		28	2	3	198 50	6 50	9 00
Boot and shoe counter manufactory.....	2	5	12	18 00	12 50	36 00	2	4	4	18 00	10 00	12 00
Bakers.....	19	1		147 00	3 00		9	3	2	69 00	9 50	6 00
Barbers.....	3	1		25 00	2 00		7	2		58 00	4 00	
Butchers.....	17	4		149 00	7 50		15	3		138 00	6 00	
Brass founders.....	2	2		16 00	4 00		1	1		8 00	2 00	
Blacksmiths.....	3			25 50			4	1		34 00	2 50	
Brick manufactory.....	7	7		70 00	28 00		4	4		28 80	14 00	
Cabinetmakers.....	1			8 00			1			8 00		
Confectioners.....	1		1	9 00		2 00	1		1	9 00		3 00
Carriage and sleigh manufactory.....	14	8		140 00	24 00		10	4		110 00	12 00	
Carvers.....	2			24 00			2			24 00		
Coffee and spice manuf.....	3	1		21 00	3 00		3	1		21 00	3 00	
Cotton manufactory.....	43		108	322 50		270 00	90		159	900 00		596 25
Cordage and rope manuf.....	12	12		108 00	36 00		44	29	12	396 00	72 50	36 00
Dressmakers.....									8			25 00
Dentists.....							2			25 00		
Dyers.....	3		4	33 00		16 00	3		2	33 00		8 00
Edge-tool manufactory.....	1	2		9 00	6 00		1	2		9 00	6 00	
Foundrymen, machinists, &c.....	338	9		2,546 00	23 50		210	23		1,652 50	81 10	
Fishermen.....	47	1		386 00	3 00		56	1		453 00	3 00	
Grist millers.....										36 00		
Harnessmakers.....	4			32 00			4	1		33 00	3 50	
Lime burners.....	22			169 60			37			294 00		
Milliners.....			4			15 00			12			40 00
Machinists.....	3	4		27 00	12 00		9	3		68 00	9 00	
Mowing machine manuf.....	8	4		72 00	8 00		6	2		54 00	4 00	
Match manufactory.....	62	12	8	415 20	38 00	32 00	62	12	8	414 00	38 00	32 00
Marble workers.....	3			36 00			4			48 00		
Photographers.....	1			12 00			2			21 00		



CLASSIFIED STATEMENT of the several industries in the City and County of St. John,  
&c.—Continued.

Industry.	Hands em- ployed in 1878			Total average wages per week, 1878.			Hands em- ployed in 1884			Total average wages per week, 1884.		
	M.	B.	F.	M.	B.	F.	M.	B.	F.	M.	B.	F.
<i>Portland—Continued.</i>				\$ cts.	\$ cts.	\$ cts.				\$ cts.	\$ cts.	\$ cts.
Painters .....							2			24 00		
Planing mill and sash manufactory.....	28			210 00			15			112 50		
Saw millmen .....	303	89		2,453 00	361 00		255	72		2,228 60	304 00	
Shipbuilders.....	160			1,389 00			94			777 60		
Sausage and Bologna sausage makers .....	3			24 00			4			36 00		
Stove and tinware manuf. Ship wheel manufactory..	3	1		25 50	1 00		8	3		70 50	5 25	
Tailors .....	4		12	36 00		40 00	1	1		9 00	3 00	
Timber pondsmen.....	4			68 00			4		9	30 00		35 50
Undertakers.....	2			12 00			2			67 00		
Wood turners.....	1			9 00			1			18 00		
Watchmakers and jewel- lers .....	2			24 00			3			9 00		
Wax workers and hair workers .....			2			8 00			2	36 00		
Nut and bolt manuf.....							22	9		198 00	27 00	
<i>Indiantown, Portland.</i>												
Boot and shoemakers.....	2			14 00			2			14 00		
Barbers.....	2			16 00			4			34 00		
Bakers .....	2			16 00			2			16 60		
Butchers and sausage makers .....	2			16 00			2			18 00		
Blacksmiths .....	3	1		25 00	4 00		4			31 00		
Boilermakers .....	3			24 00			3			27 00		
Carriage and sleigh manufactory.....	24	10		216 00	25 00		19	8		152 00	20 00	
Cedar shingle manuf.....							10	2		105 00	6 00	
Foundrymen and ma- chinists .....	15	5		120 00	10 00		20	7		180 00	14 00	
Ice dealers and cutters...							14			70 00		
Saw millmen .....	100	13		780 00	39 00		209	30		1,661 70	108 50	
Shipbuilders.....	40			280 00			23			184 00		
Tailors .....							3		19	39 00		76 00
<i>Parish of Simonds.</i>												
Brick and tile manuf.....	55	10		462 00	84 00		22	3		184 80	18 00	
Coopers .....	3			18 00			3			18 00		
Lime burners.....	59			446 50			41			336 60		
Nail manufactory.....	63			378 00								
Rolling mills, iron work- ers .....							70			840 00		
Pottery manufactory.....	24	6	4	144 00	18 00	14 40	34	2	2	245 00	6 00	7 20
Sign painters .....	1			10 00			1			12 00		
Shipbuilders.....	90			666 00			76			582 00		
Tallow manufactory .....							5			37 50		
Woollen do .....	11	3	9	83 00	10 80	31 80	15	2	6	121 10	7 20	22 80
<i>Parish of St. Martin's.</i>												
Boot and shoemakers.....	3			18 00			5			35 00		
Blacksmiths .....	5			34 00			4			28 00		
Builders and carpenters..	2			14 40			3			27 00		
Butchers.....	3	1		18 00	4 00		4			32 00		
Dressmakers.....			2			6 00			2			8 00
Fishermen.....	15			121 00			17			135 00		
Millmen .....									1			3 00

CLASSIFIED STATEMENT of the several industries in the City and County of St. John,  
&c.—*Concluded.*

Industry.	Hands em- ployed in 1878			Total average wages per week, 1878.			Hands em- ployed in 1884			Total average wages per week, 1884.				
	M.	B.	F.	M.	B.	F.	M.	B.	F.	M.	B.	F.		
<i>Parish of St. Martin's.</i> Continued.				\$	cts.	\$	cts.	\$	cts.	\$	cts.	\$	cts.	
Oarmaker .....	1			12	00			1		12	00			
Saw millmen.....	147			988	50			222		1,697	10			
Shipbuilders.....	133	3		1,657	20	9	00	28		198	90			
Lumberers.....	106			795	00			114		841	50			
Saw and grist millmen...								6		39	60			
Tailors.....	1		4	7	00		12	00	1	3	8	00	9	00
Wood manufactory.....	31	16		243	00	38	00	46		331	20			
<i>Parish of Musquash.</i>														
Butchers.....	4			36	00			4		32	00			
Fishermen.....	105			854	00			105		952	00			
Saw millmen.....	55	20		462	00	90	00	25	10	210	00	45	00	
<i>Parish of Lancaster.</i>														
Boot and shoemakers.....	5			41	00			5		41	00			
Blacksmiths.....	1	1		9	00	3	00	5	2	41	00	9	00	
Butchers.....	1			8	00			2		17	00			
Barbers.....								1		7	00			
Brick manufactory.....								40		336	00			
Carriage do .....	5	3		40	00	6	00	5	3	40	00	6	00	
Fishermen.....	99			738	00			99		738	00			
Milliner.....									1				3	00
Lime burners .....	21			151	20			21		172	50			
Saw millmen.....	602	133		3,694	36	455	00	597	118	4,451	00	481	00	

This enumeration of hands does not include the men employed in the repair shops of the Intercolonial Railway, nor the number employed in the workshops of the New Brunswick Railway in Carleton. Nor does it include any of the employments, except fishermen, which cannot strictly be regarded under the manufacturing head; and the fishermen have been so classed because the majority of the class is engaged, during the part of the year not taken up in fishing, in one mechanical employment or another.

The lumber industry gives employment to a large number of persons in St. John, though not in what might be termed manufacturing, which is not included in the foregoing statement. The weekly pay-roll of this class—laborers employed in loading steamers and vessels with lumber—is quite extensive. Nor does the statement contain any indication of the number engaged as laborers at promiscuous work, on the labor staff of the water and sewerage commissioners, the city corporation, the gas company and sundry other undertakings; or as clerks in stores, banks, &c., or as members of the several professions, for the reason, that these employments are not mechanical or manufacturing and, therefore, not within the scope of the spirit or the letter of my instructions. The weekly earnings of the several omitted classes would, of course, amount to a large sum.

In the city of St. John (east side), the industry giving employment to the largest number of hands in 1878, and paying the largest wages, is that designated as “builders.” This industry includes two branches—carpenters and masons. The number employed was 592, and the weekly wages amounted to \$6,280.90.

The tailoring industry ranks first in 1884, in the number of hands, and first in the amount of wages paid weekly. This industry held second place in 1878, although



really first if the divided character of the industry required "builders" to be classed as two industries. The number employed in 1884 was 428, and the amount paid out \$2,432.10; the number employed in 1878 was 358, and the pay roll \$1,957.

The boot and shoe factory industry—this includes no hand-made work—gave employment to 213 hands in 1878, with a weekly pay-list of \$1,258.50, and to 249 in 1884, the weekly wages of whom amount to \$1,289.

The sash, door and blindmakers did a rushing business in 1878, the number of employees being 153, and the weekly pay-list \$1,516.

The painters had work for 123 of their class in 1878, the total of whose weekly wages amounts to the snug little sum of \$1,131.

The printers hold a respectable position on the list, as respects numbers and weekly pay.

Clothiers gave employment to 302 hands in 1878, the weekly pay-list being \$1,049; and to 242 in 1884, the weekly wages amounting to \$860.

The industries in St. John city (east side), giving employment to the largest number of females in 1878 were the tailoring and clothing, between which there is quite a marked distinction, as anyone who gives the matter a moment's thought will readily perceive. Each of these industries employed 272 in that year. In 1884 the tailoring industry led the record with 328, while the clothiers were content with 219. The boot and shoe interest employed the next largest number of females in both years, and the millinery occupation ranked next.

In St. John (west side, or Carleton), saw mill men ranked highest in number and in weekly pay in both years; the fishermen next in number, and the granite men next in pay. The granite workmen ranked third in number in both years, and the builders fourth in number, as well as fourth in weekly compensation.

Portland's saw mills gave employment in 1878 to 392 men, the greatest number of any industry, and paid out the largest sum for weekly wages, \$2,814. The same industry ranked first in men and wages in 1884, the former being 327 and the latter \$2,532.60.

The combined foundry, machinist, railcar and rolling mills industry came next in order in both years, the number of men being 349 in 1878 and 233 in 1884, and the weekly wages \$2,569.50 in the former year and \$1,733.60 in the latter. The shipbuilders were the next largest in number and in weekly wages in 1878, and the cotton operatives in 1884, the former scaling 160 hands, with weekly pay amounting to \$714, and the latter reaching 249 hands, with \$1,496.25 as the weekly pay. The cotton operatives numbered only 151 in 1878. Cordage and ropemakers advanced from 24 hands, with a weekly pay roll of \$144, to 85 hands, whose weekly wages increased to \$504.50. The bolt and nut works, a new industry, gave employment to 31 persons in 1884, the weekly wages being \$225. Fishermen did a better business in 1884 than in 1878—the appliances were more diversified, and the returns larger than formerly.

In Indiantown, the western section of Portland, the millmen ranked first in number and in wages both in 1878 and 1884, the former being, respectively, 113 and 239, and the latter \$819 and \$1,121. Of shipbuilders there were 40 in 1878 and 23 in 1884, whose wages relatively were \$280 and \$184.

The parish of Simonds' shipbuilding industry led off both in men and wages in 1878 and 1884, the number of men, respectively, being 90 and 76, and the weekly wages \$666 and \$582. The nail factory industry employed the next largest number of hands in 1878, but ranked third on the pay-roll, and furnished no comparison in 1884, having been merged with Moore's nail factory operations in Portland. The limeburners loomed up large in 1878, and continued with slightly diminished strength in the quieter period of 1884. The pottery industry gained strength in working force and very considerably in machinery, and increased its pay-roll from \$162 weekly, in 1878, to \$258 in 1884. The brickmakers worked in 1884 with a smaller force than in 1878, and at less expense for wages, but with greatly increased machinery help.

The parish of St. Martins gave millmen the pre-eminence in working force and in wages in both periods, with an increase in 1884, the number of hands employed being 147, in 1878, and 222 in 1884, with \$988.50 and \$1,697.10 as the weekly wages of the respective years. Shipbuilders were employing a force of 136 hands, at \$1,666.20 as weekly wages in 1878, and of 28 hands, with \$198.90 as wages, in 1884. Lumberers numbered 106 in 1878 and 114 in 1884, the wages being relatively \$795 and \$841.50. Wood-workers advanced their force from 31 in 1878 to 46 in 1884, and dropped boy labor altogether in the latter year.

The parish of Musquash revels in the products of the forest and the sea. The fishermen held leading rank, their condition in 1884 being an improvement on 1878. The millmen experienced a drop in working force and in wages in both years, the failure of a very active lumbering firm in the locality being the cause.

The parish of Lancaster ranks specially prominent in the lumber manufacturing business, the number of hands employed in the various mills being 735 in 1878, with a weekly pay-roll of \$4,149.36, and 715 in 1884, with a pay sheet of \$4,932. The fishermen and lime-burners come next, the wages of the latter being rather improved in 1884, and the catch of the former an advance upon 1878.

### THE COUNTY OF YORK.

Fredericton, the political capital of New Brunswick, and the chief city of York county, is located on the St. John River, about 85 miles from its mouth. The industries of Fredericton, though not numerous, are, nevertheless, in some instances, of special importance, the foundry and machine works of McFarlane, Thompson & Anderson, the Leather Company's works, J. C. Risteen & Co.'s sash, door and blind factory and planing mill being notable instances. Not far from the city's limits, however, there are several industrial institutions of which any city or any country might justly feel proud. Specially noticeable in this connection are the cotton mill and lumber works of Alex. Gibson, Esq., at Marysville, and the hames factory of W. McFarlane, Esq., at St. Mary's. The cotton mill has not yet been put in operation, but it may be as well to state that in its construction during the past year and a-half, and its equipment this fall, steady employment has been given to a large body of people. The tabular statements, &c., bearing upon the industries of Marysville especially, will prove an interesting study.

The following table contains a statement of the total number of hands employed in certain industries in sections of York county in 1878 and 1884, together with the total average weekly wages paid in the two periods.

Place.	Hands employed in 1878			Total average weekly wages, 1878.			Hands employed in 1884			Total average weekly wages, 1884.		
	M.	B.	F.	M.	B.	F.	M.	B.	F.	M.	B.	F.
				\$ cts.	\$ cts.	\$ cts.				\$ cts.	\$ cts.	\$ cts.
Fredericton.....	305	90	44	2583 00	246 00	176 00	374	74	55	3269 50	234 00	208 50
Marysville.....	1426			11646 00			1542			12871 00		
St. Marys.....	8		1	56 00		4 00	8		1	77 00		4 00
Gibson.....	22			180 00			14	4		103 00	10 00	
Nashwaaksis.....	18	5		132 30	12 50		9			55 80		
Douglas.....	5			30 00			5			30 00		
Benton.....	10			75 00			10			66 00		
Canterbury.....	80			640 00			80			600 00		
	1874	95	13	15342 30	258 50	180 00	2042	78	56	17072 30	244 00	212 50



The following table contains a classified statement of the several industries in the County of York, together with the number of persons relatively employed therein, and the total weekly wages of each class :—

Industry.	Hands employed in 1878			Total average wages per week, 1878.			Hands employed in 1884			Total average wages per week, 1884.		
	M.	B.	F.	M.	B.	F.	M.	B.	F.	M.	B.	F.
<i>Fredericton.</i>												
Axe makers.....	5			\$ 52 50	\$ cts.	\$ cts.	4			\$ 42 00	\$ cts.	\$ cts.
Boot and shoe manuf.....	19			171 00			20			196 00		
Broom, brush and feather duster manuf.....							3	1	3	24 00	2 00	15 00
Carriage and sleigh manuf.....	33	23		307 50	47 00		52	26		456 00	77 00	
Foundrymen and machinists.....	31	15		275 00	48 00		50	16		492 00	62 50	
Harnessmakers.....	7			56 00			7			56 00		
Leather manuf.....	15	5		105 00	12 50		20	1		160 00	2 50	
Marble workers.....							7	1		66 50	5 00	
Plumbers, gasfitters, tin-smiths and sheet iron workers.....	6	3		46 00	5 50		17	4		153 00	10 00	
Saw millmen.....	132	40		1044 00	120 00		133	20		1077 00	60 00	
Sash and door manuf.....	32	2		288 00	8 00		28	2		252 00	8 00	
Tailors.....	12		12	153 00		176 00	15	1	52	161 00	2 00	193 50
Tanners and larrigan makers.....	10	2		64 00	5 00		15	2		110 00	5 00	
Tinsmiths.....	3			21 00			3			24 00		
Estimated operatives of various kinds doing small trades.....	98		22	686 00		66 00	145		30	1015 00		90 00
<i>Marysville.</i>												
Cotton mill—												
Carpenters.....							30			288 00		
Painters.....							8			72 00		
Bricklayers.....							12			216 00		
Machinists.....							24			288 00		
Plumbers.....							4			55 00		
Laborers.....							18			126 00		
Brickmakers.....							20			180 00		
Saw millmen.....	1426			11646 00			1426			11646 00		
<i>St. Mary's.</i>												
Confectioners.....	2		1	14 00		4 00	2		1	14 00		4 00
Harness makers.....	6			42 00			6			63 00		
<i>Gibson.</i>												
Furniture manuf.....							4	4		28 00	10 00	
Leather manuf.....	22			180 00								
Saw millmen.....							10			75 00		
<i>Nashwaaksis.</i>												
Carriage manuf.....	15	5		112 50	12 50		6			36 00		
Tanners.....	3			19 80			3			19 80		
<i>Douglas.</i>												
Grist and carding millmen.....	5			30 00			5			30 00		
<i>Benton.</i>												
Tanners.....	10			75 00			10			66 00		
<i>Canterbury.</i>												
Saw millmen.....	80			640 00			80			600 00		
Mechanical operatives in York Co., scattered ...	221		9	1540 00		27 00	333		12	2331 00		36 00

The millmen of Fredericton are in the van, both in force and in cash. In 1878 the mills gave employment to 172 hands, whose weekly wages amounted to \$1,164; and in 1884 to 153 hands, the weekly wages being \$1,137. The number of hands and the weekly pay roll would be greater in the latter year but for the stoppage of R. A. & J. Stewart's mill, owing to the low price ruling for deals. The foundry and machine industries had, in the six years, from 1878 to 1884, made marked advances in force, in wages and in machinery, the weekly wages having increased from \$323 in 1878, to \$554.50 in 1884, and the force from 46 in 1878, to 65 in 1884. Other industries have made progress, but none of them so rapidly as the foundry and machine works of McFarlane, Thompson & Anderson.

The districts in York county outside of Fredericton help the record wonderfully. Marysville leads off in men and wages in both periods, the total weekly pay, even without the cotton mill running, being \$13,802 in 1884, and the working force correspondingly large. The advance on 1878 is quite marked in certain lines.

### THE COUNTY OF CARLETON.

Carleton county embraces one of the best agricultural sections of New Brunswick; the cleared districts being for the most part in a high state of cultivation. Woodstock, its chief town, is located on the western side of the St. John River, and enjoys the benefit of communication by water with up and down-river sections, and by railway with Fredericton and up-river, St. John, St. Stephen and St. Andrews, and intermediate points and all towns west. Although several times visited by disastrous fires in late years, Woodstock is still a thriving place and a stirring business centre. Possessing the advantage of a good location, supported by a remarkably thrifty agricultural back country, having easy access to the interior and to business centres, it is little wonder that its factory operations are enlarging and that improvement is stamped on almost everything within its corporate limits.

The annexed table contains a statement of the total number of hands employed in various industries in Woodstock, Carleton county, in 1878 and 1884, together with the total average weekly wages paid in the two periods.

Place.	Hands employed in 1878			Total average weekly wages, 1878.			Hands employed in 1884			Total average weekly wages, 1884.		
	M.	B.	F.	M.	B.	F.	M.	B.	F.	M.	B.	F.
				\$ cts.	\$ cts.	\$ cts.				\$ cts.	\$ cts.	\$ cts.
Woodstock .....	268	16	34	2,312 40	50 00	102 50	391	27	57	3,388 60	98 50	205 50



The following table contains a classified statement of the several industries in the County of Carleton, together with the number of persons relatively employed therein and the total weekly wages of each class.

Industry.	Hands employed in 1878			Total average wages per week, 1878.			Hands employed in 1884			Total average wages per week, 1884.		
	M.	B.	F.	M.	B.	F.	M.	B.	F.	M.	B.	F.
<i>Woodstock.</i>				\$ cts.	\$ cts.	\$ cts.				\$ cts.	\$ cts.	\$ cts.
Boot and shoe manfs.....	10			72 00			19		1	155 00		4 00
Bakers.....	2			16 00			3	1		28 00	3 00	
Carriage manfs.....	20			180 00			39	8		370 00	32 00	
Clothiers.....							1		9	12 00		22 50
Furniture manfs.....	10	1		73 00	3 00		19	2		170 40	7 00	
Foundrymen & machinists	65	5		655 00	17 50		65	5		656 00	17 50	
Gasfitters.....							7	1		66 00	3 00	
Harness makers.....	6	1		46 90	2 00		11	1		87 50	3 00	
Hub manfs.....							3	1		30 90	5 00	
Marble workers.....	4			48 00			4			60 00		
Saw millmen.....	111	7		875 00	23 50		142	5		1,098 00	20 00	
Sash and door manfs.....	15			167 50			7			58 80		
Tanners.....	19			124 00			24			172 00		
Tailors.....	4		34	44 00		102 50	10		47	95 00		179 00
Tinsmiths.....	3	2		21 00	4 00		6	1		50 00	3 00	
Timber pondsmen.....							6			54 00		
Wood-working manfs.....							25	2		225 00	5 00	
Non-enumerated industries.....	50		12	350 00		36 00	73		20	590 00		60 00
Non-enumerated industries in Carleton Co....	240	40		1,680 00	120 00		360	60		2,500 00	120 00	

Woodstock gives first place to the millmen, both in 1878 and 1884, second rank to the foundrymen and machinists, and third call to the carriage factory men, in respect to wages, at least. The tailors come next, and the woodworking men, the furniture factory men, and the boot and shoe factory hands follow in close order. The total mechanical working force of Woodstock, so far as visited, shows quite a respectable gain in favor of 1884; and the same may be said of the weekly pay roll.

### THE COUNTY OF WESTMORELAND.

The noble county of Westmoreland stands deservedly high as a manufacturing district, to say nothing of its great agricultural and other capabilities. Moncton, its chief business centre, is situated on a bend of the Petitcodiac River, and is second only to St. John, in the Province of New Brunswick, in industrial and commercial importance; and it enjoys the advantage of being the central point of the Intercolonial Railway system. The progress of Moncton, due partly to the enterprise of its people, partly to its situation, and partly to having been selected as the headquarters of the Intercolonial Railway, has been very rapid—more so than that of any town in New Brunswick, or, indeed, in the Maritime Provinces. In 1871 its estimated population was 1,200 souls; in 1881, the census period, 5,032 comprised the sum total of its inhabitants, and this year its population is reckoned at 7,000. In 1881 the total population of the town and parish was calculated at 9,601; and this year 12,000 is considered, by good authority, the correct figure at which to rate their united populations.

In the imports and exports of Moncton town, in 1884, as contrasted with 1878, there has been a very large increase. The figures, as shown by the Customs returns, are about doubled in the case of imports, and run up from \$2,849 to \$73,934 in exports. The amount of Customs duty collected in 1878 was \$23,039, and in 1884,

\$752,266. The increase in the exports is attributed to the development of the shipping business of the port.

Moncton is provided, by the enterprise of her citizens, with a good water supply and an excellent gaslight system. The town also enjoys the advantage of good banking accommodation, the Bank of Montreal and the Bank of Nova Scotia having well managed agencies within its limits.

Moncton sustains two daily newspapers, the *Times* and the *Transcript*, and is also well provided with churches, public halls (including a town hall, now in course of erection), fine residences, skating rinks, and other institutions usually found in a place of its extent, population and importance. And, indeed, there is about it an air of thrift and business activity of which few towns of its age can boast. As an industrial centre it holds a prominent rank, as the tables supplied will abundantly attest.

Sackville, the only other place in Westmoreland county which, in the time at my disposal, could be visited, is unquestionably a town of great length, great resources and much wealth; the abode of a faculty of learned professors, the resting place of some illustrious dead, the birthplace of a noble educational institution, the home of a happy and contented people, and last, but not least, the headquarters of one of the most successful stove foundries in the Lower Provinces.

In the following table is contained a statement of the total number of hands employed in the various manufacturing industries in Sackville, in 1878 and 1884, together with the total average weekly wages paid in the two periods.

Place.	Hands employed in 1878			Total average weekly wages, 1878.			Hands employed in 1884			Total average weekly wages, 1884.		
	M.	B.	F.	M.	B.	F.	M.	B.	F.	M.	B.	F.
				\$ cts.	\$ cts.	\$ cts.				\$ cts.	\$ cts.	\$ cts.
Moncton.....	108	9	23	894 80	27 00	75 00	625	37	242	5,178 30	107 00	809 50
Sackville.....	68	2	4	547 00	6 00	12 00	130	14	16	1,113 00	44 00	72 00
	176	11	27	1,441 80	33 00	87 00	755	51	258	6,291 30	151 00	881 50

Herewith is submitted a classified statement of the several manufacturing industries in the county of Westmoreland, together with the number of persons relatively employed therein, and the total weekly wages of each class.

Industry.													
<i>Moncton.</i>													
Agricultural implement							15			135 00			
manfs							17			120 50			
Boot and shoemakers.....	1			7 00			8			72 00			
Boot and shoe manfs.....	6			54 00			13	1		88 00	4 50		
Blacksmiths.....	4			24 00			33			297 00			
Builders or carpenters....	4			36 00			60			420 00			
Brick makers.....	20			140 00			5	1		42 00	3 00		
Bakers.....	2			18 00			57	14	100	513 00	28 00	300 00	
Cotton manfs.....							6			60 00			
Confectioners.....							3		17	33 00		51 00	
Clothiers.....	3		17	39 00		51 00	1		2	15 00		6 00	
Upholsterers.....							13	4		117 00	14 00		
Carriage manfs.....	6	4		51 00	12 00		3	1		22 50	3 00		
Electro-platers and bron-													
zers.....													
Foundrymen and machin-							53	7		568 00	25 00		
ists.....	31	4		279 00	12 00		6	2		55 00	6 00		
Flour millers.....	2			12 00			1			12 00			
Gunsmiths.....							9	1		81 00	2 50		
Harness makers.....													



## CLASSIFIED STATEMENT—Continued.

Industry.	Hands employed in 1878			Total average wages per week, 1878.			Hands employed in 1884			Total average wages per week, 1884.		
	M.	B.	F.	M.	B.	F.	M.	B.	F.	M.	B.	F.
<i>Moncton—Continued.</i>				\$ cts.	\$ cts.	\$ cts.				\$ cts.	\$ cts.	\$ cts.
Jewellers.....							2			18 00		
Knitting machine makers.....							1	35		30 00		105 00
Laundrymen.....							1	4		6 00		12 00
Lock makers.....							50			300 00		
Milliners.....								20				84 00
Plumbers, gas and steam fitters.....	2			24 00			8	2		84 00	10 00	
Ginger pop makers.....	2	1		22 00	3 00		4	1		38 00	3 00	
Printers.....	2			16 00			5			45 00		
Manufacturing pharmacists and chemists.....									1			3 00
Sash, door and blind manfs.....							3		1	22 50		
Stove fitters and tinsmiths.....	2			18 00			92	1		786 00	3 00	
Soap makers.....	7			58 80			12	2		98 00	5 00	
Saw millmen.....	10			60 00			13			97 80		
Sugar refiners.....							18			108 00		
Tailors.....	2		6	20 00		24 00	80			600 00		
Undertakers.....	2			16 00			19		53	181 00		218 50
Woollen manfs.....							4			32 00		
							10		10	78 00		30 00
<i>Sackville.</i>												
Boot and shoe manfs and tanners.....	18		4	162 00		12 00	24		5	216 00		20 00
Clothiers.....							6		9	61 50		29 00
Furniture manfs.....							2	2		16 00	6 00	
Foundrymen.....	35	2		295 00	6 00		58	8		540 00	28 00	
Tanners and larrigan manfs.....	15			90 00			40	4	2	280 00	10 00	8 00
Non-enumerated industries.....	17		4	86 00		14 00	16		5	115 00		15 00

Moncton makes a fine showing, the number of hands being 904, and \$6,094.80 the weekly wages. And this, without taking into account the force of more than 400 hands employed in the railway workshops. A foundry, with 35 hands, was the leading industry in 1878; and there were 17 other industries, with a united force of 77 hands, all told. The sash, door and blind factories make a better record in 1884 than these 17 concerns did in 1878, having a larger force and a larger pay list, the former reaching 93 hands and the latter \$789. The cotton industry takes the lead in the number of persons employed and the wages paid, the former being 171, and the latter \$841 per week. The sugar refinery gives employment to 80 hands, who receive as weekly wages \$600. The brickmakers rank next in order with 60 men and a weekly pay list of \$420. Builders and carpenters make no mean showing, the number of hands running up to 33, and the wages to \$297 a week. Milliners are in request, as might be expected in a town of Moncton's size and advanced notions of fashion and refinement, some 20 of them being required to meet the demands of the fair sex. The tailoring industry is not slack, the number keeping pace with the march of progress. Millmen still keep well forward, even in this place of diversified occupations, as the product of Mr. Humphrey's mill testifies.

Sackville's stovemakers lead the van in effective force and in weekly pay. The tanners come next in order, the boot and shoe factory people follow, and then a number of small manufacturing concerns range in order. The effective force in 1878 was 74, and in 1884 the number of the enrolled was 160. The total weekly pay in

1878 was \$565; and in 1884, \$1,229.50, an increase of considerable extent in pay and in force.

### THE COUNTY OF KING'S.

In King's county my opportunities for investigation were limited. As the time at my disposal was altogether insufficient to do justice to the industries of any considerable portion of the county, and at the same time efficiently deal with the information already gathered, I was compelled to limit my investigation to Sussex. This place, though not the shiretown of the county, is its leading commercial and industrial centre, and contains a number of industries, to all of which I gave the best possible attention, the particulars elsewhere set forth bearing testimony to the fact. Hampton's principal industry: Flewwelling's sawmill, box factory, &c., having been coupled with the match factory, the headquarters of which is in New Brunswick's commercial centre, it is not needful to recapitulate the results of my enquiries in regard thereto. The remaining manufacturing districts in the county I leave for the present.

The accompanying table supplies a statement of the total number of hands employed in certain industries in Sussex, county of King's, in 1878 and 1884, together with the total average weekly wages paid in the two periods.

Place.	Hands employed in 1878			Total average weekly wages, 1878.			Hands employed in 1884			Total average weekly wages, 1884.		
	M.	B.	F.	M.	B.	F.	M.	B.	F.	M.	B.	F.
				\$ cts.	\$ cts.	\$ cts.				\$ cts.	\$ cts.	\$ cts.
Sussex .....	36			269 20			81	17	18	650 20	44 50	49 50

In the following table will be found a classified statement of certain industries in the county of King's, together with the number of persons relatively employed therein, and the total weekly wages of each class.

Industry.	Hands employed in 1878			Total average wages per week, 1878.			Hands employed in 1884			Total average wages per week, 1884.		
	M.	B.	F.	M.	B.	F.	M.	B.	F.	M.	B.	F.
				\$ cts.	\$ cts.	\$ cts.				\$ cts.	\$ cts.	\$ cts.
<i>Sussex.</i>												
Boot and shoe manfs. ....							27	10	18	216 00	25 00	49 50
Butter manfs. ....							2	1		14 00	3 00	
Carriage manfs. ....	4			32 00			5	1		42 00	3 00	
Cheese manfs. ....	2			20 00			3			30 00		
Furniture manfs. ....	7			56 00			7			56 00		
Foundrymen ....	4			30 00			4	2		36 00	6 00	
Grist, carding and saw millmen ....	3			21 00			5			35 00		
Sash manfs. ....	4			32 00			6			60 00		
Tanners ....	12			78 20			18			131 20		
Woodenware manfs. ....							4	3		30 00	7 50	
Non-enumerated industries .....	30		20	200 00		50 00	35		20	250 00		50 00

In Sussex the boot and shoe factory industry leads off, the tanners obtaining second place, and the remainder following in processional order. Within the district of Sussex, though located about three miles from the Intercolonial Railway station, is embraced the wonderful little woodenware factory, reference to which is elsewhere made at length. The factory force of Sussex in 1878, contrasted with that of 1884



shows a large gain in favor of the latter year. The same may be said in regard to the weekly wages paid to the employees.

### ST. STEPHEN AND MILLTOWN.

St. Stephen and Milltown, the chief commercial and manufacturing communities of Charlotte county, stand on the eastern bank of the St. Croix River, and are lively business places. They face Calais, an American town of some pretensions, on the western side of the St. Croix, and are connected with it by bridges which span the river in two or three places. The leading manufactures of the former communities have for years been lumber; but new industries, in later years, have called for and secured a location, the cotton factory being a notable example.

The following is a statement of the total number of hands employed in the various industries in St. Stephen and Milltown in 1878 and 1884, together with the total average weekly wages paid in the two periods.

Place.	Hands employed in 1878			Total average weekly wages, 1878.			Hands employed in 1884.			Total average weekly wages, 1884.		
	M.	B.	F.	M.	B.	F.	M.	B.	F.	M.	B.	F.
				\$ cts.	\$ cts.	\$ cts.				\$ cts.	\$ cts.	\$ cts.
St. Stephen .....	78	5	12	677 00	15 00	36 00	125	24	64	1,302 00	87 00	248 50
Milltown .....	726			5,332 50			1,408			9,320 75		
Deer Lake .....	22			176 00			22			198 00		
	826	5	12	6,185 50	15 00	36 00	1,555	24	64	10,820 75	87 00	248 50

The following table contains a classified statement of manufacturing industries in St. Stephen and Milltown, together with the number of persons relatively employed therein, and the total weekly wages of each class.

Industry.	Hands employed in 1878			Total average weekly wages, 1878.			Hands employed in 1884			Total average weekly wages, 1884.		
	M.	B.	F.	M.	B.	F.	M.	B.	F.	M.	B.	F.
				\$ cts.	\$ cts.	\$ cts.				\$ cts.	\$ cts.	\$ cts.
<i>St. Stephen and Milltown.</i>												
Axe and tool manfs. ....	20			186 00			25			247 50		
Confectioners .....	5	5		50 00	15 00		27	20	30	329 00	73 00	102 50
Carriage manfs. ....	7			66 00			14	2		158 00	8 00	
Cabinetmakers .....	3			27 00			3			27 00		
Clothiers .....							1		14	15 00		49 00
Cotton manfs. ....							525	hands		2,661 75		
Furniture manfs. ....	3			27 00			9			103 50		
Grist millers' .....							3			27 00		
Granite workers .....	12			108 00			12			144 00		
Harness manfs. ....	6			54 00			6			46 50		
Larrigan manfs. ....	4			30 00			10			90 00		
Machinists .....	5			52 50			8			84 00		
Soap manfs. ....							6	2		60 00	6 00	
Saw millmen .....	737			5,385 00			876			6,552 50		
Tanners .....							5			40 00		
Tailors .....	2		12	24 00		36 00			20	37 00		97 00
<i>Deer Lake.</i>												
Saw millmen .....	22			176 00			22			198 00		

## THE PROVINCE OF NOVA SCOTIA.

## HALIFAX AND DARTMOUTH.

Halifax and Dartmouth furnished me with the first opportunity to investigate the factories of the chief industrial centres of Nova Scotia. Owing to the limited time at command, I could only devote specially close attention to the leading factories and such other prominent industrial establishments as might fairly be considered representatives of their class. The results will be found set forth in the annexed tabular statement; and to those who knew Nova Scotia's capital and surroundings in the olden time, they will furnish a pleasing, and, in not a few instances, a surprising record. Halifax, as all acquainted with the history of its founding very well understand, was selected more on account of the advantages it furnished as a grand military and naval station than because of its special adaptation to industrial pursuits. But, though it is not located at the mouth of any great river, the enterprise of its people has proved that it can be made not only admirably to serve the purpose for which it was chosen, but, with the aid of Dartmouth, to be the seat of important industrial pursuits. The three sugar refineries, the extensive rope and cordage factory, the elaborate works of the Starr Manufacturing Company, the capacious workshops of Mr. Brookfield, the splendid cotton mill, the well-equipped tobacco factories, the mammoth bread and biscuit bakery and confectionery works of Moir, Son & Co., the large boot and shoe factories of R. Taylor and A. A. Bliss & Co., the Acadia steam biscuit factory and confectionery, the extensive brass and steam-fitting works of McDonald & Co., the spice works of Brown & Webb, the large furniture factory of Gordon & Keith, the large breweries, of which there are several, the extensive planing mills and sash and door factories, the marine railway, the extensive carriage factory of J. M. DeWolf, and numerous other concerns, already prove this.

With a return of ordinary commercial prosperity, all of the establishments enumerated and all others of greater or lesser note will, doubtless, prove fairly remunerative to their several investors.

In the harbor of Halifax, on the 15th October last, there were either moored at the wharves or anchored in the stream 12 ocean steamers, large and small, 3 barges, 1 barquentine, 7 brigantines and 94 schooners, all receiving or discharging cargoes of some sort.

The accompanying table contains a statement of the total number of hands employed in the various manufacturing industries visited in the city of Halifax and in Dartmouth in 1878 and 1884, together with the total average weekly wages paid in the two periods.

Place.	Hands employed in 1878			Total average weekly wages, 1878.			Hands employed in 1884			Total average weekly wages, 1884.		
	M.	B.	F.	M.	B.	F.	M.	B.	F.	M.	B.	F.
				\$ cts.	\$ cts.	\$ cts.				\$ cts.	\$ cts.	\$ cts.
Halifax and Dartmouth	875	184	339	7219 90	462 40	1126 00	1653	306	709	13651 95	850 80	2464 80



The following table contains a classified statement of certain industries in Halifax and Dartmouth, together with the number of persons relatively employed therein, and the total weekly wages of each class.

Industry.	Hands employed in 1878			Total average wages per week, 1878.			Hands employed in 1884			Total average wages per week, 1884.		
	M.	B.	F.	M.	B.	F.	M.	B.	F.	M.	B.	F.
<i>Halifax.</i>												
Brush manfs.....	16			\$ cts. 116 00	\$ cts.	\$ cts.	8			\$ cts. 44 00	\$ cts.	\$ cts.
Broom manfs.....							16	1	1	128 00	2 50	3 00
Biscuit manfs. and confectioners.....	49	46	3	370 00	112 00	12 00	77	56	27	667 00	134 50	70 50
Bakers.....	4			30 00			4			32 00		
Brewers.....	30			228 00			37			280 00		
Brass founders, &c.....	13	3		116 00	6 00		9	5		94 00	14 00	
Boilermakers.....	20	2		180 00	5 00		65	5		585 00	15 00	
Boot and shoe manf.....	80	30	40	640 00	90 00	120 00	86	32	47	615 00	95 00	148 00
Builders and contractors	75			600 00			170			1530 00		
Carriage manfs.....	44	6		372 00	18 00		51	6		452 00	16 50	
Clothiers.....	35	2	188	365 00	4 00	692 00	44	2	280	440 00	4 00	1044 00
Coopers.....	8			72 00			10	1		90 00	2 00	
Cotton manfs.....							52	67	161	364 00	167 50	510 50
Door, sash and moulding manfs.....	6			54 00			8			76 00		
Dyers.....							4		3	40 00		12 00
Drated water, soda manf.....							12			108 00		
Iron foundrymen and machinists.....	40	11		338 00	33 00		52	19		459 50	58 50	
Furniture manfs.....	28	4		254 00	10 00		66	11		612 00	27 50	
Furriers.....	2		9	24 00		31 50	2		10	24 00		35 00
Knitting manf.....							2	1	67	20 00	2 00	201 00
Laundrymen.....	2		4	12 00		16 60	3		13	22 50		58 50
Mattress manf.....							4			36 00		
Marble workers.....	15	3		141 00	7 50		15	2		129 00	5 00	
Match manf.....	1	1	10	7 00	2 00	37 50	3		8	21 00		30 00
Planing and moulding manfs.....	36	4		293 40	10 00		38	4		358 05	14 00	
Paint manfs.....							7	5		58 00	14 00	
Plumbers and gasfitters.....	4	3		40 00	9 00		4	3		40 00	9 00	
Pianoforte manfs.....	11			82 50			10			88 00		
Potters and brickmakers	34			238 00			34			238 00		
Powder manfs.....	15			112 50			14	14		105 00	56 00	
Rolling millmen and nail manfs.....	33			297 00			28			196 00		
Sugar refiners.....							275			2037 50		
Skate, axle and shovel manfs.....	4	3		28 00	9 00		4	1		28 00	3 00	
Stone fitters, &c.....	30	10		250 00	20 00		36	10		356 00	25 00	
Spice and Coffee manfs..	6	2	4	42 00	6 00	10 00	9	4	7	63 00	11 00	17 50
Soda water manfs.....	11			85 00			11			85 00		
Soap manfs.....	7			42 00			4			24 00		
Tobacco manfs.....	8		72	48 00		180 00	25		12	150 00		36 00
Tailors.....							4		20	40 00		100 00
Tanners.....							13			84 00		
Waterproof manfs.....							10		20	70 00		80 00
<i>Dartmouth.</i>												
Brewers.....	12			75 00			20			130 00		
Foundrymen.....	60			600 00			42			420 00		
Planing millmen.....	9			54 00			4			38 40		
Rope manfs.....	45	47	9	319 50	103 40	27 00	90	38	33	630 00	108 30	118 80
Skate, spike, nail, &c., manfs.....	40	7		320 00	17 50		150	19		1350 00	66 50	
Spice, soap & lime manfs.							Decline to give information.					
Ships' knees manfs. and forgers.....	40			360 00			20			180 00		
Tanners.....	2			14 00			2			14 00		
Non-enumerated industries in Halifax and Dartmouth.....	1400	350	375	9800 00	1150 00	1125 00	1953	500	563	13600 00	1500 00	1500 00

The gain in hands and wages in the industries of Halifax and Dartmouth in favor of 1884 is quite large, as the figures clearly show.

TRURO.

Truro is finely situated on the Intercolonial Railway, at the head of Cobequid Bay, into which flows Salmon River, and probably ranks next to Moncton as an important shifting or shunting station. The country around Truro is a splendid agricultural district, and the farmers thrifty and well-to-do. The town itself is quite a manufacturing centre, a number of enterprises, some of them novel but specially adapted to the locality, being now in successful operation within its limits. The felt hat factory, the condensed milk factory, the fast and peg factory, the knitting factory, and Gate's organ factory, are among the novelties, and at the same time hold a leading rank. There is embraced in the collection of industries centreing in this beautiful district, an extensive foundry and machine shop, a furniture factory, a woollen factory, a saw mill, a grist mill, and several carriage factories.

The following table supplies a statement of the total number of hands employed in manufacturing in Truro in 1878 and 1884, together with the total average weekly wages paid in the two periods.

Place.	Hands em- ployed in 1878			Total average weekly wages, 1878.			Hands em- ployed in 1884			Total average weekly wages, 1884.		
	M.	B.	F.	M.	B.	F.	M.	B.	F.	M.	B.	F.
				\$ cts.	\$ cts.	\$ cts.				\$ cts.	\$ cts.	\$ cts.
Truro .....	82	10	23	618 40	31 50	71 00	213	15	44	1,881 94	50 00	158 75

The accompanying table contains a classified statement of manufacturing industries in Truro, together with the number of persons relatively employed therein, and the total weekly wages of each class:—

Industry.	Hands em- ployed in 1878			Total average wages per week, 1878.			Hands em- ployed in 1884			Total average wages per week, 1884.		
	M.	B.	F.	M.	B.	F.	M.	B.	F.	M.	B.	F.
Truro.				\$ cts.	\$ cts.	\$ cts.				\$ cts.	\$ cts.	\$ cts.
Carriage and sleigh manfs.	3	.....	.....	27 00	.....	.....	14	3	.....	126 00	8 00	.....
Condensed milk manfs.	.....	.....	.....	.....	.....	.....	10	2	.....	110 00	9 00	.....
Furniture manfs.	12	.....	.....	84 00	.....	.....	17	1	.....	153 00	2 00	.....
Foundrymen	20	3	.....	160 00	9 00	.....	34	6	.....	340 00	21 00	.....
Grist millers	.....	.....	.....	.....	.....	.....	3	.....	.....	25 20	.....	.....
Hat manuf.	7	3	4	56 00	10 50	14 00	15	2	8	150 00	7 00	40 00
Knitting manfs.	.....	.....	.....	.....	.....	.....	5	.....	15	37 50	.....	48 75
Last, bobbin and peg manfs.	11	1	7	75 00	3 00	21 00	21	1	7	162 00	3 00	24 50
Marble workers	7	.....	.....	49 00	.....	.....	8	.....	.....	64 00	.....	.....
Organ and piano manfs.	.....	.....	.....	.....	.....	.....	20	.....	.....	180 00	.....	.....
Saw millmen	17	3	.....	122 40	9 00	.....	60	.....	.....	480 24	.....	.....
Woollen manfs.	5	.....	12	45 00	.....	36 00	6	.....	14	54 00	.....	45 50
Non-enumerated industries.	60	.....	8	420 00	.....	20 00	80	.....	10	560 00	.....	25 00



## NEW GLASGOW.

New Glasgow is one of the most progressive of the western towns of Nova Scotia. Manufacturers engaged in certain lines have considered it especially adapted to their pursuits. Here is located the Nova Scotia Steel Company's extensive works, the Nova Scotia Glass Company's varied industry, the Nova Scotia Forge Company's establishment, Matthewson's large Acadia foundry works, Donald Grant's sash and blind factory, J. E. McGregor's large tannery, and other industrial institutions. The town is connected east and west by railway; it is contiguous to good shipping quarters; it is in close proximity to coal mines; and East River glides gently by its border. On the whole, it is very desirably located.

The following table furnishes a statement of the total number of hands employed in manufacturing in New Glasgow in 1878 and 1884, together with the total average weekly wages paid in the two periods.

Place.	Hands employed in 1878			Total average weekly wages, 1878.			Hands employed in 1884			Total average weekly wages, 1884.		
	M.	B.	F.	M.	B.	F.	M.	B.	F.	M.	B.	F.
				\$ cts.	\$ cts.	\$ cts.				\$ cts.	\$ cts.	\$ cts.
New Glasgow .....	113	4	.....	840 60	8 60	.....	378	24	.....	2953 75	67 10	.....

The following table supplies a classified statement of manufacturing industries in New Glasgow, together with the number of persons relatively employed therein, and the total weekly wages of each class.

Industry.	Hands employed in 1878			Total average wages per week, 1878.			Hands employed in 1884			Total average wages per week, 1884.		
	M.	B.	F.	M.	B.	F.	M.	B.	F.	M.	B.	F.
				\$ cts.	\$ cts.	\$ cts.				\$ cts.	\$ cts.	\$ cts.
<i>New Glasgow.</i>												
Furniture manfs .....	15	.....	.....	112 50	.....	.....	19	.....	.....	171 00	.....	.....
Foundrymen .....	21	4	.....	149 10	8 60	.....	40	7	.....	284 00	16 10	.....
Forgers .....	40	.....	.....	300 00	.....	.....	60	.....	.....	450 00	.....	.....
Glass manfs .....	.....	.....	.....	.....	.....	.....	95	15	.....	760 00	45 00	.....
Plough and iron bridge manfs .....	.....	.....	.....	.....	.....	.....	7	.....	.....	56 00	.....	.....
Sash and blind manfs .....	25	.....	.....	200 00	.....	.....	40	.....	.....	360 00	.....	.....
Soda water manfs .....	2	.....	.....	14 00	.....	.....	2	.....	.....	14 00	.....	.....
Steel manfs .....	.....	.....	.....	.....	.....	.....	100	2	.....	750 00	6 00	.....
Tanners .....	10	.....	.....	65 00	.....	.....	15	.....	.....	108 75	.....	.....
Non-enumerated industries .....	40	.....	6	280 00	.....	15 00	55	.....	10	375 00	.....	25 00

## AMHERST.

Amherst, the leading town in Cumberland county, is quite a manufacturing centre, some dozen or more factories being in active operation within its limits. There is about the place a smart, business-like appearance, and abundant evidence of the well-to-do condition of its people. It is famous, among other things, as being the place around which political gladiators in the olden time delighted to hover, its rostrum furnishing the battlefield for many keen oratorical encounters. The most prominent of the town's industries are the stove foundry of A. Robb & Co., the sash, door, blind and woodenware factory of Rhodes, Curry & Co., the coffin and casket factory of Christie Bros. & Co., and the spacious works of the Amherst Boot and Shoe Company.

The following table supplies a statement of the total number of hands employed in manufacturing in Amherst in 1878 and 1884, together with the total average weekly wages paid in the two periods.

Place.	Hands employed in 1878			Total average weekly wages, 1878.			Hands employed in 1884			Total average weekly wages, 1884.		
	M.	B.	F.	M.	B.	F.	M.	B.	F.	M.	B.	F.
				\$ cts.	\$ cts.	\$ cts.				\$ cts.	\$ cts.	\$ cts.
Amherst.....	110	14	34	937 80	34 00	112 00	358	24	53	3,367 60	64 50	200 00

The annexed table contains a classified statement of the manufacturing industries in Amherst, together with the number of persons relatively employed therein, and the total weekly wages of each class.

Industry.	Hands employed in 1878			Total average wages per week, 1878.			Hands employed in 1884			Total average wages per week, 1884.		
	M.	B.	F.	M.	B.	F.	M.	B.	F.	M.	B.	F.
				\$ cts.	\$ cts.	\$ cts.				\$ cts.	\$ cts.	\$ cts.
Amherst.												
Boot and shoe manfs.....	40	6	14	300 00	12 00	42 00	76	8	24	646 00	16 00	84 00
Carriage manfs. ....	6	4	.....	45 00	10 00	.....	29	5	.....	247 00	14 00	.....
Contractors and builders, and wood-working manfs.....	15	.....	.....	120 00	.....	.....	150	.....	.....	1,500 00	.....	.....
Coffin and casket manfs. ....	.....	.....	.....	.....	.....	.....	20	2	.....	150 00	5 00	.....
Clothiers.....	9	.....	20	80 00	.....	70 00	12	.....	29	120 00	.....	116 00
Ginger ale and soda manfs.....	.....	.....	.....	.....	.....	.....	2	.....	.....	14 00	.....	.....
Marble manfs.....	.....	.....	.....	.....	.....	.....	4	.....	.....	48 00	.....	.....
Stove manfs. and machinists.....	31	4	.....	334 80	12 00	.....	42	8	.....	453 60	28 00	.....
Tanners and larrigan manfs.....	7	.....	.....	42 00	.....	.....	20	.....	.....	162 00	.....	.....
Upholsterers.....	2	.....	.....	16 00	.....	.....	3	1	.....	27 00	1 50	.....
Non-enumerated industries.....	40	.....	8	280 00	.....	20 00	55	.....	6	385 00	.....	15 00

### LONDONDERRY.

The Londonderry, N.S., Iron Works.—The first operations of the Londonderry Iron Works were started in 1840, although on a very limited scale, and active work was really not fairly commenced until 1852. The Steel Company of Canada was organized in 1874, and the operations of the concern under the new arrangement have gradually increased. The first three years were employed in experimenting and developing the ore mines and erecting the plant now in operation, which was seriously started in 1877. The general manager, on the 19th November last, said :—

“At that time (1877) about 400 hands were employed. In 1878 somewhat over 500 hands were used, at an average wage of \$1.10 per day. Since then the number of hands employed has reached 850, and the wages, until very recently, say 1st September, averaged \$1.50 per day; now it is about \$1.20. Owing to the slack-



ness of trade the number of men employed is reduced to about 625. The yearly product of the works may be stated as about 16,000 to 18,000 tons of pig iron per annum, as at present running, and 600 tons of bar iron. The capital expenditure at the works is about £300,000 sterling."

## THE PROVINCE OF PRINCE EDWARD ISLAND.

### CHARLOTTETOWN.

Charlottetown gave me the first opportunity to investigate the industrial establishments of Prince Edward Island. It is the political capital and chief commercial centre of the Province, and embraces within its capacious extent a larger number of industries than the visitor, unacquainted with its trade and the changes which time has wrought in the peculiar character of the island's business, would at first suppose. Careful enquiry and some little time devoted to an examination of the industrial occupations, in which a goodly number of the people are engaged, will serve to eradicate any wrong impressions which may be entertained. Shoe factories, cloth factories, foundries, clothing workshops, furniture factories, tobacco factories, carriage factories, tanneries, brick-making industries, machine shops, pork-packing establishments, planing mills, and an extensive array of other and smaller industries are to be found in active operation. And, then, too, it will be found that Charlottetown is the centre through which much, if not the larger portion, of the business of the lobster canneries, the starch and the cheese factories, is transacted.

From the tabular statements may readily be gathered an estimate, as nearly correct as it is possible to make it, of the industries conducted in Charlottetown, and carried on outside its limits through the stimulus received from the well directed energies of some of its enterprising people.

Attached is a table containing a statement of the total number of hands employed in manufacturing in Charlottetown in 1878 and 1884, together with total average weekly wages paid in the two periods.

Place.	Hands employed in 1878			Total average weekly wages, 1878.			Hands employed in 1884			Total average weekly wages, 1884.		
	M.	B.	F.	M.	B.	F.	M.	B.	F.	M.	B.	F.
				\$ cts.	\$ cts.	\$ cts.				\$ cts.	\$ cts.	\$ cts.
Charlottetown.....	300	30	16	2,082 00	78 50	51 00	421	91	89	3,080 30	261 25	295 00

In the following table will be found a classified statement of the various industries in Charlottetown, together with the number of persons relatively employed herein, and the total weekly wages of each class.

Industry.	Hands employed in 1878			Total average wages per week, 1878.			Hands employed in 1884			Total average wages per week, 1884.		
	M.	B.	F.	M.	B.	F.	M.	B.	F.	M.	B.	F.
<i>Charlottetown.</i>				\$ cts.	\$ cts.	\$ cts.				\$ cts.	\$ cts.	\$ cts.
Foot and shoe manfs.....							41	13	6	328 00	35 75	24 00
Block makers.....	4	1		28 00	2 00		2	3		15 00	9 00	
Bakers.....	8			56 00			6			48 00		
Brewers.....	10			60 00			5			30 00		
Brick makers.....							12			72 00		
Carriage manfs.....	67	7		500 00	18 50		48	13		374 00	39 50	
Confectioners.....							3	2		21 00	6 00	
Furniture manfs.....	38	4		266 00	10 00		46	12		338 00	30 00	
Foundrymen and machinists.....	39	9		249 00	21 00		46	17		382 00	45 00	
Ginger pop and ginger ale manfs.....	2	1		12 00	3 00		2	1		12 00	3 00	
Harness manfs.....	7			38 50			9	4		58 00	11 00	
Marble workers.....	14			114 00			19			168 00		
Work packers.....	30			186 00			62			328 80		
Platers.....							2			12 00		
Shash and door manfs.....							9	3		67 50	6 00	
Soap manfs.....							4			24 00		
Sailors.....	19		16	185 50		51 00	34	2	61	314 00	6 00	194 00
Tobacco manfs.....	4	4		28 00	8 00		13	12		92 50	32 50	
Tinsmiths, gas fitters, &c.....	23	4		171 00	16 00		22	6		173 00	24 00	
Wannors.....	35			188 00			26			157 50		
Woollen manfs.....							10	3	22	75 00	13 50	77 00
Non-enumerated industries.....	60			420 00			80			560 00		

### SUMMERSIDE.

Summerside is the second commercial town of importance in Prince Edward Island. It is connected by railway with Charlottetown and other points, and is at present the first point of connection by steamer with Point du Chêne, on the mainland in New Brunswick. It has within its limits a number of manufacturing establishments, the shipyard of Hon. Mr. Lefurgey, in which a large vessel is constructed almost every year, and several other institutions usually found in a business place of its size and extent. It is the centre of a fair amount of trade; but its growth in the future will depend more upon local than upon outside influences, as, on the completion of those branch railways on the island and the mainland, which will shorten the water travel, it will be shorn somewhat of its importance as a convenient terminal point, in stormy weather at least. However, the people of Summerside are not apprehensive about the future. They cultivate a cheerful spirit, and look hopefully ahead. They will always be able to claim for their town and vicinity pre-eminence as a pleasant summer resort.



Below is a table containing a statement of the total number of hands employed in manufacturing in Summerside in 1878 and 1884, together with the total average weekly wages paid in the two periods.

Place.	Hands employed in 1878			Total average weekly wages, 1878.			Hands employed in 1884			Total average weekly wages, 1884.		
	M.	B.	F.	M.	B.	F.	M.	B.	F.	M.	B.	F.
				\$ cts.	\$ cts.	\$ cts.				\$ cts.	\$ cts.	\$ cts.
Summerside .....	75	4	.....	530 50	11 00	.....	128	8	6	903 00	20 00	18 00

The following table contains a classified statement of the various manufacturing industries in Summerside, together with the number of persons relatively employed therein and the total weekly wages of each class.

Industry.	Hands employed in 1878			Total average wages per week, 1878.			Hands employed in 1884			Total average wages per week, 1884.		
	M.	B.	F.	M.	B.	F.	M.	B.	F.	M.	B.	F.
<i>Summerside.</i>				\$ cts.	\$ cts.	\$ cts.				\$ cts.	\$ cts.	\$ cts.
Agricultural implement manf. ....	6	.....	.....	36 00	.....	.....	10	.....	.....	70 00	.....	.....
Boot and shoe manf. ....	4	.....	.....	24 00	.....	.....	6	.....	.....	36 00	.....	.....
Coopers .....	11	1	.....	76 00	2 00	.....	5	1	.....	35 00	2 00	.....
Furniture manfs. ....	9	3	.....	63 00	9 00	.....	15	5	.....	111 00	13 00	.....
Foundrymen .....	3	.....	.....	22 50	.....	.....	6	2	.....	45 00	5 00	.....
Flour millmen .....	4	.....	.....	24 00	.....	.....	2	.....	.....	12 00	.....	.....
Meat canners .....	.....	.....	.....	.....	.....	.....	10	.....	6	60 00	.....	18 00
Shipbuilders .....	38	.....	.....	285 00	.....	.....	60	.....	.....	450 00	.....	.....
Saw, shingle and planing millmen .....	.....	.....	.....	.....	.....	.....	5	.....	.....	30 00	.....	.....
Tin can manfs .....	.....	.....	.....	.....	.....	.....	9	.....	.....	54 00	.....	.....
Non-enumerated industries .....	25	.....	4	175 00	.....	10 00	35	.....	6	245 00	.....	15 00

### THE LOBSTER CANNERIES.

The lobster-canning industry is one of the most important in Prince Edward Island. There are upwards of eighty canneries scattered at various advantageous points along the island shores. Each cannery costs from \$2,000 to \$3,000, according to size and capacity, and the annual output amounts from \$7,000 to \$9,000. The canneries are kept running about four months every year, and give employment to a large number of persons—some 14 fishermen, 10 men who are not fishing experts, and 15 females. All hands receive good wages, the fishermen especially.

The price obtained for canned lobsters, so far this year, indicates quite an advance. A Mr. Crue, extensively engaged in the business, informed the writer that he had been notified by his English agent in October last, that 28s. 6d. per case—the highest price yet quoted, and a large advance upon the ruling figure last year, had been obtained for his shipment. Mr. Duvar, fishery inspector of Prince Edward Island, in a report on the island fisheries, places the value of canned lobsters for 1883 at \$435,605. This year, it is clearly evident, both from the extent of the catch and the prices prevailing in the chief lobster markets, that a sum far in advance of

last year and ahead of the year preceding, and considerably in excess of half a million dollars, will be realized from the lobster fisheries through the canneries.

With the exception of those at Canso Cove, Murray Harbor, Cascumpec, Little Sands and Donnelly, the canneries have all been put in operation since 1878. In 1879 the number all over the island was limited to 35, and this year the number is more than 80. The name, location, &c., of most of the canneries in operation, have been obtained at much pains, and will be found in the tabular statements.

### THE STARCH FACTORIES.

The starch industry of Prince Edward Island, which has been prosecuted quite vigorously, was not, in the early fall, in a very healthy condition; at least this was the opinion expressed in several quarters. Prices ruled low, and there appeared to be considerable difficulty in finding profitable markets for the product. This temporary check to the industry would, it was thought by experienced business men, result in real benefit to the trade, as it would tend to the exercise of greater care in production, and would lead to a diligent search for profitable customers in quarters hitherto untried, and be less open to disturbance by the trade policy of a country which is ever on the alert to prevent its manufacturers from being overreached by the energy or enterprise of manufacturers outside its pale. The National Policy is entitled to the credit of having given a stimulus to the starch industry; but it is not responsible for the mistakes of short-sightedness, nor for the condition of things which has given to the industry a temporary check. Few of the many engaged in the enterprise appear correctly to gauge the causes which have led to the decline in prices, which there is reason to believe will not long continue. Careful enquiries elicited from the senior member of a firm interested financially in several factories—Messrs. McKinnon & McLean—the following:—

“When the majority of the starch factories in the island were started, the United States imposed a duty of 1 cent and 20 per cent. *ad valorem*. Under this tariff the island factories could easily compete with the United States producer in the United States markets, and make the business a paying speculation. The United States Government, wide awake as it always is to the interests of its own producers, soon doctored the tariff to suit the emergency. It threw off the 20 per cent., and added 1 cent per pound, which amount, added to the 1 cent imposed under the old arrangement, made the duty 2 cents per pound, which, to all intents and purposes, is a *prohibitive* duty. This, of course, has operated to the prejudice of island starch manufacturers. But the secret of the depression does not lie wholly here. There are other directions in which those interested should look. First, there is the depression in the cotton trade in England and Canada; secondly, Germany and Holland, both of which countries are rivals of the island in the English market, have yielded an immense potato crop; and thirdly, the Western States have produced a heavy crop of corn. These three causes—powerful they unquestionably are—have contributed in no inconsiderable degree to lower the price of starch in the island market, and to depress the industry.”

Mr. McKinnon further remarked:—

“There is a market for at least 1,000 tons of starch in Canada per year. The balance goes forward to England and to the United States. I am not aware that any has been sold at an actual loss. Starch is an article that age will improve rather than injure. Holding over will, therefore, only result in temporary inconvenience to the producer, and, of course, the loss of interest on the value thus locked up.”



Attached will be found a table which contains a statement of the total number of hands employed in the starch factories and lobster canneries, &c., in P. E. Island in 1884, together with the total average weekly wages.

Industry.	Hands employed in 1873			Total average wages per week, 1873.			Hands employed in 1884.			Total average wages per week, 1884.		
	M.	B.	F.	M.	B.	F.	M.	B.	F.	M.	B.	F.
<i>P. E. Island.</i>				\$ cts.	\$ cts.	\$ cts.				\$ cts.	\$ cts.	\$ cts.
Starch factories .....							184			1,130	00	
Lobster canneries.....							1,502		927	12,540	00	3,708
Cheese factories.....							17			153	00	
Woollen manfs.....	12		7	90	00	24	15		7	112	50	24

COMPARATIVE GENERAL AVERAGES OF WEEKLY WAGES.

In the table following will be found a statement of the average weekly wages of employees in industrial or manufacturing enterprises in different localities in the Maritime Provinces.

Industry.	City and County, N. S. Wales.	Prohibition.	Mayville.	St. Mary's, N. B. Wales.	Windsor, N. B. Wales.	Moncton.	St. Catharines.	St. John's, N. B. Wales.	Bellefleur, N. B. Wales.	Trenton.	New Glasgow.	Ambert.	Lambert.	Chatham, N. B. Wales.	Summerside.	St. Stephen, N. B. Wales.		
Amalgamating and smelting mills.	1878 1884 1878 1884 1878 1884 1878 1884 1878 1884 1878 1884 1878 1884 1878 1884 1878 1884	5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00	5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00	5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00	5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00	5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00	5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00	5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00	5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00	5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00	5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00	5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00	5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00	5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00	5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00	5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00	5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00	
Asphalt works.	1878 1884 1878 1884 1878 1884 1878 1884 1878 1884 1878 1884 1878 1884 1878 1884 1878 1884	5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00	5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00	5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00	5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00	5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00	5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00	5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00	5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00	5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00	5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00	5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00	5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00	5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00	5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00	5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00	5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00	5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00
Asphalt works.	1878 1884 1878 1884 1878 1884 1878 1884 1878 1884 1878 1884 1878 1884 1878 1884 1878 1884	5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00	5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00	5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00	5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00	5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00	5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00	5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00	5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00	5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00	5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00	5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00	5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00	5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00	5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00	5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00	5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00	5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00
Asphalt works.	1878 1884 1878 1884 1878 1884 1878 1884 1878 1884 1878 1884 1878 1884 1878 1884 1878 1884	5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00	5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00	5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00	5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00	5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00	5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00	5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00	5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00	5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00	5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00	5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00	5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00	5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00	5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00	5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00	5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00	5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00
Asphalt works.	1878 1884 1878 1884 1878 1884 1878 1884 1878 1884 1878 1884 1878 1884 1878 1884 1878 1884	5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00	5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00	5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00	5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00	5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00	5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00	5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00	5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00	5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00	5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00	5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00	5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00	5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00	5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00	5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00	5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00	5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00
Asphalt works.	1878 1884 1878 1884 1878 1884 1878 1884 1878 1884 1878 1884 1878 1884 1878 1884 1878 1884	5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00	5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00	5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00	5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00	5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00	5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00	5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00	5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00	5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00	5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00	5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00	5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00	5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00	5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00	5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00	5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00	5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00
Asphalt works.	1878 1884 1878 1884 1878 1884 1878 1884 1878 1884 1878 1884 1878 1884 1878 1884 1878 1884	5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00	5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00	5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00	5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00	5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00	5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00	5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00	5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00	5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00	5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00	5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00	5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00	5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00	5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00	5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00	5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00	5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00
Asphalt works.	1878 1884 1878 1884 1878 1884 1878 1884 1878 1884 1878 1884 1878 1884 1878 1884 1878 1884	5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00	5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00	5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.00 5.														

NOTE.—In cases where \* appears, the figures are based upon a fair estimate.





The rate of wages given in the foregoing table is the average of prices paid to all workmen in each trade or employment, and not the average of all the *high classed* workmen. In the United States, I am inclined to think, judging from the figures paraded in a recent issue of one of the leading New York papers, as having been supplied from Washington, the plan pursued is to base the calculation on a group of the maximum figures. If my conjecture be correct, the statement published is *not* a *correct presentment* of the *true general average*. Adopting the maximum figure in leading employments, the wages paid in the localities named in this report would assume a higher average and supply a comparison much more favorable to Dominion industries "down by the sea," than that furnished. In its present form, the average bears favorable comparison with the pay of workmen in the old world industries.



## GENERAL COMPARATIVE STATEMENT.

The following is a table giving the Number of Hands employed in the Industries visited, and the Yearly Aggregate of the Weekly Wages in 1878 and 1884 respectively, together with a comparison of the Capital and Product or output of each period; also, the number of Industries in 1878 and 1884, and the Number of new Industries started during the six years ending December, 1884.

Locality.	1878.			1884.			Capital Invested in 1878. \$ cts.	Product or Output of 1878. \$ cts.	Capital Invested in 1884. \$ cts.	Product or Output of 1884. \$ cts.	No. of Indus- tries.		New Industries started since 1878.	Stopped Indus- tries.	
	Hands Em- ployed.	Yearly Ag- gregate of Weekly Wages.	\$ cts.	Hands Em- ployed.	Yearly Ag- gregate of Weekly Wages.	\$ cts.					1878 1884				
<i>Province of New Brunswick.</i>															
City and County of St. John—															
do East and west ..	4,974	1,999,358 40	4,931	1,845,550 20											
do Portland .....	1,715	624,171 60	1,849	686,233 60											
do Parish of Lancaster.	871	297,937 12	899	323,762 40		6,688,776 00	8,918,370 00	7,800,690 00	9,752,118 00	781	948	203	36		
do do Musquash..	184	74,984 00	144	64,428 00											
do do St. Martins	473	197,901 60	457	176,633 60											
do do Simonds...	338	120,603 60	282	126,380 80											
County of York—Fredericton, Marysville, St. Mary's, Gibson, Nashwaaksis, Douglas, Canter- bury and Benton .....	2,008	820,601 60	2,176	911,497 60		689,945 00	919,925 00	1,638,100 00	1,997,994 00	31	42	12	1		
County of Carleton—Woodstock.	318	128,174 00	475	165,365 22		317,805 00	423,741 00	430,850 00	632,950 00	28	42	14			
County of Westmoreland—Moncton	140	51,833 00	904	316,325 60		119,595 00	159,460 00	848,000 00	2,022,222 00	20	62	42			
do do Sackville.	74	29,380 00	160	63,154 00		56,886 00	75,850 00	112,000 00	164,000 00	5	7	2			
County of King's—Sussex .....	36	11,398 40	116	38,698 40		39,936 00	53,251 00	73,260 00	171,588 00	9	13	4			
County of Charlotte—St. Stephen, Milltown and Deer Lake .....	843	324,298 00	1,643	580,125 00		448,122 00	597,498 00	1,687,800 00	1,193,193 00	18	25	7			
<i>Province of Nova Scotia.</i>															
Halifax and Dartmouth .....	1,398	458,031 60	2,668	882,312 60		2,261,925 00	3,015,905 00	3,226,633 00	6,770,860 00	62	81	20	1		
Truro .....	115	37,486 80	272	108,715 88		99,291 00	132,389 00	269,000 00	313,131 00	12	19	8			
New Glasgow .....	117	44,158 40	402	177,884 20		161,110 00	201,481 00	355,500 00	692,269 00	7	11	4			
Londonderry—Iron works .....	500	171,600 00	625	234,325 00		330,120 00	440,160 00	1,460,000 00	550,200 00	1	1				
Amherst .....	158	56,357 60	435	188,869 00		150,078 00	200,107 00	197,000 00	550,929 00	7	13	6			

Province of Prince Edward Island											
Charlottetown .....	346	144,998 00	601	189,100 80	219,600 00	444,900 00	391,900 00	793,492 00	35	51	16
Summerside ....	79	28,168 00	142	48,932 00	40,000 00	80,000 00	51,800 00	145,600 00	10	15	5
Starch factories .....	24	8,736 00	164	58,760 00	20,000 00	85,000 00	104,000 00	210,000 00	2	11	9
Lobster canneries .....	195	22,712 25	2,429	*281,632 00	10,242 00	45,382 00	127,000 00	561,500 00	5	62	57
Cheese factories .....	.....	.....	17	7,956 00	.....	.....	14,800 00	36,000 00	.....	6	6
Tryon woollen cloth factory .....	19	5,951 00	22	7,124 00	16,000 00	38,863 00	20,000 00	45,000 00	1	.....	.....
Totals .....	14,925	5,658,833 97	21,813	7,494,365 70	11,659,431 00	15,832,182 00	18,868,273 00	25,603,068 00	1034	1410	415
Increase in favor of 1884 .....	.....	.....	6,888	1,925,531 73	.....	.....	7,208,842 00	9,770,884 00	.....	376	.....

\* Season's aggregate only. † This amount does not include any output from Gibson's cotton mill, which will start January, 1885.



## THE NEW AND THE STOPPED INDUSTRIES.

Among the industries in the Maritime Provinces which I was enabled to visit, are included 415 which were started since 1878. These new industries give employment to 6,908 hands, the yearly aggregate of whose weekly wages, even considering the exceptional condition of Mr. Gibson's cotton mill, amounts to a very respectable sum, as will be seen by the following.

Locality.	Number of Industries	Number of Hands.	Yearly Aggregate of Weekly Wages
			\$ cts.
St. John City and County .....	203	1,413	463,910 00
Fredericton .....	9	67	22,906 00
*Marysville .....	1	116	58,500 00
St. Mary's .....	2	18	5,876 00
Woodstock .....	14	113	510,010 00
Moncton .....	42	666	223,964 00
Sackville .....	2	12	3,562 00
Sussex .....	4	15	4,914 00
St. Stephen .....	6	57	19,396 00
Milltown .....	1	525	138,411 00
Halifax and Dartmouth .....	20	845	252,200 00
Truro .....	8	101	39,699 00
New Glasgow .....	4	221	85,020 00
Amherst .....	6	64	25,792 00
Charlottetown .....	16	234	68,809 00
Summerside .....	5	34	8,580 00
Other districts in Prince Edward Island .....	72	2,380	314,952 00
	415	6,881	2,246,501 00

\*Mr. Gibson's cotton mill has capacity for a very large force.

The foregoing statement, with the exception of the city and county of St. John, does not include the smaller industries which the necessities of the country have called into life since 1878.

The industries in operation in the city and county of St. John in 1878, but not now running, and about which it was possible to obtain information, number 36. In these industries 698 persons obtained employment, and their weekly wages amounted to \$5,675, or a yearly aggregate of \$295,100. Included in the 36 industries are 3 mills, temporarily shut down because of depression in the lumber trade, in which were employed 133 hands, whose wages summed up \$893 per week; 3 shipyards, idle from prostration in the wooden ship trade, which employed 198 hands, and paid out weekly \$1,893; and some 6 builders, busy while the work of reconstructing the burned section of St. John was proceeding vigorously, whose working force numbered 152 persons, with a weekly wage list of \$1,483. The other stopped industries number 29, with employment force of 215 persons and a weekly pay roll of \$1,406.

The other industrial sections furnish no material record of stoppages, the very few cases occurring being due to causes having no connection with either tariffs or hard times.

## CONCLUDING REMARKS.

During the progress of the investigation I was specially struck with the indifferent attention paid to the matter of the relative responsibility of Government and people in furthering the interests of the country. The absence of proper attention, however, does not alter the fact that there is a division of responsibility, and that it is shared alike by Government and people. Clear as daylight must it appear to any thoughtful person that Canada's present business needs have an important bearing upon Canada's progress and prosperity. But, it may be asked, "What are these

needs, and how are they to be met?" Besides some tariff readjustment to meet a few emergent cases, Canada requires just now more extended markets for such of its productions, whether of the soil, the sea, or the factory, as furnish more than a sufficient supply for home wants; but while Canada's Government may provide, and there is evidence that it is gathering information at all times with a view to provide new channels of trade, and be willing to enlarge reciprocal trade relations with other countries on *fair* terms, upon Canada's business men and the promoters of Canada's industrial enterprises devolves the responsibility of developing with good judgment and utilizing with prudence, advantages placed within their reach. Canada requires that special industries should be pushed with caution, so that the producing capacity of the country be not extended beyond the ability to distribute; but Canada's manufacturers have it within their power to check excessive production and prevent the depressing consequences which result from it. Canada requires greater diversity in industrial pursuits; but Canada's business men and capitalists can exercise influence in a direction that will enable this need to be largely met. Canada requires excellence in the quality of its manufactures and moderation in cost, at least such moderation as will make competition with foreign products absolutely a success; but Canada's manufacturers are in a position to meet the requirements and gain the resulting reward, or to discard them and suffer disastrous consequences.

In submitting this report of my labors, permit me to say that it has been my special aim to make the investigation embrace as many districts in the territory assigned to me as possible in the time at disposal, and, in all cases, thorough; to gather information in the most impartial manner, and to present the data obtained in a form capable of being easily understood. In instituting enquiries the greatest care, circumspection and patience were at all times essential requisites. The convenience of the persons approached had to be consulted, the prejudices naturally arising from enquiries, not new in some other countries, having intimate relation to the business affairs of the parties concerned, had to be allayed, and the value of strict accuracy in every particular made clear. In almost every case I was successful in satisfying the parties directly concerned in the investigation, that not only the industrial classes but the whole people were interested in knowing to what extent and in what respects the trade policy of the country was beneficial or otherwise; and that the object of the Government in authorizing investigation was to gain information likely to be of service in the preparation of such remedial legislation as might, on careful consideration, be deemed necessary in the interest of the several industries, and, at the same time, suited to the needs of the country.

In the hope that I have fairly met your requirement, and that the information furnished will be of service to the Government,

I have the honor to be, Sir, your obedient servant,

EDWARD WILLIS.

## APPENDIX No. 1.

### GENERAL NOTES, TOGETHER WITH THE VIEWS OF MANUFACTURERS ON THE CONDITION OF BUSINESS AND THE NATIONAL POLICY.

Herewith is submitted, in connection with some general notes relative to the various industries, a faithful record of the views of manufacturers on the condition of business and in reference to the bearing of the National Policy on the respective industries.

#### THE PROVINCE OF NEW BRUNSWICK.

#### THE CITY AND COUNTY OF ST. JOHN.

Messrs. Haley Bros. & Co., proprietors of the sash, door and blind factory and planing mill, on Main Street, remark as follows:—"This factory is doing nearly



as large an amount of work in 1884 as it did in 1878, although the great fire of 1877 made the latter an exceptionally good year for the business. Quite a considerable trade in factory products is being done this year with places outside of St. John. Halifax, N. S., alone supplies contracts to the extent of \$14,000."

A. F. Dibblee and, indeed, all the boat-builders, represent:—"That business in boat building is slack, and suffering from the falling off in shipbuilding."

Harrison & Peters, of stone works, Britain Street, declare:—"That though the number of men employed in 1884 is less than in 1878, there is not the same disproportion in the amount of work performed, as we have now in use labor-saving machinery not then so extensively used. We have now in use 4 gangs, 2 rips, 1 rubbing bed, 1 drill, 1 tooth machine, 1 traveller and 1 powerful derrick, all driven by a 45 horse-power engine."

This factory was destroyed by fire in 1882, and re-built soon after, with better facilities than formerly for doing all kinds of work in freestone, granite and marble.

In Stewart's steam soap works, the explanation was offered that:—"The use of steam power and improved machinery accounts for the reduced force. Laundry soaps of different brands form the chief product of the works. A small quantity of candles is also made. The trade of 1884, so far, is considered equal to that of a good average year."

Thos. Campbell, plumber, says:—"The comparison between 1878 and 1884, in my business, is not a fair one, due, of course, to the fact that in the former year there was an extraordinary amount of plumbing and gasfitting required, as the result of the great fire of 1877. A comparison, to be just, should be made with some ordinary year."

Hutchings & Co.'s bedding factory, is the only one of the kind in the Maritime Provinces. At the old "Moffat Flour Mills," which Messrs. H. & Co. have purchased and remodelled, excelsior is extensively made from poplar, and enters largely into use in the manufacture of mattresses and in upholstering. They sell to the trade in the Maritime Provinces. This firm also makes a specialty in the iron bedstead, children's carriage and adjustable iron chair trade.

David Brown, harnessmaker, has this to say:—"Our business suffers from competition with factories in the Western Provinces, especially in Quebec, which engage the labor of the penitentiaries, and are thus enabled to supply driving harness at a lower rate than it can be made by Lower Province workmen."

Thos. Finley, in the same business, says:—"Business is dull as compared with some former years, but especially with 1878, which was an exceptionally good year, owing to the demands to which the fire of 1877 and the rebuilding activity gave rise."

Notman's photograph studio explains as follows:—"At the close of 1878, and during the early part of 1879, there was a great rush of work. There is a fair average now, but the employment of improved apparatus and simpler processes enable a small force to do, in these days, an amount of work which would tax the energies of a large force without their aid, if the same degree of excellence could be attained at all without them."

Mr. N. Powers, undertaker, reports the general health of the city good, probably better than in 1878. He adds, with grim good humor:—"Times are somewhat tough, but then this toughness is not common to St. John; it affects the world at large. My business, like most other trades, is affected by hard times, inasmuch as people call for cheaper work than in prosperous times."

James Hunter, locksmith, bell-hanger, and gunsmith, has this to say:—"The National Policy has not injured my business. The slackness in building work does, however, operate to its prejudice."

James Hunter & Co., silverplaters, volunteer the information following:—"The silverplating business would be benefited if the duties on the articles manufactured—such as harness goods and carriage trimmings—were increased. All the articles so used can as well be made here as in the United States. We have no diffi-

ality in beating the Yankees on hand work, but on work in which the large field justifies a lower price and a lighter profit, they have, as yet, the advantage."

Knox & Thompson blame Confederation and the National Policy for the falling off in their furniture business, ignoring every other possible or known cause, saying briefly:—"Before Confederation we had plenty of work."

George Kilnap, boot and shoemaker, a near neighbor of Messrs. Knox & Thompson, says:—"The depressed condition of our trade is due, in some measure, to the big fire of 1877, and also to the causes which are operating all over to cause general depression in business."

John J. Munroe's trunk factory speaks in a cheery, hopeful strain, in this wise:—"Business this year is very good—better than last year, and better than 1878. Sales this year, so far, are fully a third more than during the same period last year."

Some of the other trunkmakers do not speak in so cheery a strain. It is easy to see that the National Policy has had nothing to do with the dullness of which they complain.

The British Manufacturing Company, engaged in the manufacture of "Globe London Soap Powder," and not very long in operation, report:—"We find a market all over Canada. Sales have been good, and the prospects are satisfactory."

G. F. Thompson, paint manufacturer, says:—"I attribute the slackness in my business to over-production, especially in the heavy centres of trade, which entails forced sales, Montreal and some other western cities being the principal operators. I also attribute it to dishonesty in business—I mean the adulteration of articles sold—which no conscientious, fair man can circumvent. As instancing the low prices—putty, I mention the fact that putty is selling for \$1.80 per 100 lbs., which is the price in England at this date."

Robert S. Craig, painter, attributes the languid condition of business in his line to a cause which does not seem to have been noted by more than one or two others in the trade. He says:—"A correct idea of the condition of my industry could best be arrived at if I were asked what will my business justify me in paying workmen? To this I would reply that it does not now, nor during the past two years could it, fairly justify the payment of more than \$1.50 or \$1.75 per day to extra good workmen. The rate of wages insisted on by the workmen for the period named—\$2 and \$2.50 per day—has had the effect of preventing quite a number of persons from giving orders for work on improvements in contemplation."

James Price, merchant tailor, speaks thus:—"The general business depression has caused a reduction in the operative force; and it has tightened the money market, though there is more than a plenty current coin of the realm in the coffers of our monetary institutions."

G. S. Fisher & Co., asphalt and concrete roofers and sidewalk layers, say:—"We pay some of the best men now as high as \$10 in summer and \$9 per week in the winter. We are now in the season of low prices. The present is what might be considered a famine time, caused by trying to do too much; in other words, by large over-production, as, for instance, in the lumber and the cotton trade. But, then, it should be borne in mind that machinery has revolutionized labor and brought about a state of things surprising and distasteful to some and gratifying to others. The National Policy has nothing whatever to do with the hard times, about which there is at present a good deal of complaint. Dullness is felt all the world over, and is due to the cause already cited, although in every country the over-production may not be in the same industries."

A. H. Bell, proprietor of a recently established cigar factory, offers the following observations:—"I find a market for my product in the Maritime Provinces. I was formerly engaged with J. W. Bell & Co., Dock Street, though not then employed in manufacturing. My trade is good. I find ready sale for all the cigars I can make. I push the trade, hence my success. The general depression has not affected my business, except so far as the city is concerned, where payments from some customers are a little slow. Sharp competition in the city also contributes to this result. To encourage cigar manufacturing properly, we ought to have a duty of \$2



per pound on imported cigars—especially German cigars—instead of 75 cents. This is the same duty as is levied in the United States, and its adoption by our Government will have a tendency to encourage factories in the Dominion.”

W. A. Honeywell, saw filer, offers his opinion in a few terse words. He says:—“The dullness at present prevailing and increased competition are the primary causes of the reduction in wages in my business. We want a boom in building operations to enliven my trade.”

William Peters, tanner and currier, remarks as follows:—“In 1878 wages ranged from \$24 and \$12 to \$9, \$8 and \$6. In 1884 the range is from \$12 to \$6. The recent failures in shoe factories seriously affect confidence in business. I regard the National Policy as beneficial to the leather business.”

Walter M. Tate, proprietor of boot, shoe, slipper and larigan factory, says:—“The present year is about as dull as any year since 1878, but this latter year was an exceptional one. The general depression in all kinds of business has a detrimental effect upon the boot and shoe trade. And this depression is largely due to over-production. So far as the boot and shoe trade of this Province is concerned, it may be said that the over-production in Montreal, which induces dealers to force sales, has an injurious effect, in that it lessens prices and, as a consequence, shaves the profit close. The National Policy has been a benefit to the boot and shoe trade. There are some articles on which duties are a little high, but these might very easily be manufactured in the Dominion. Then, again, there are a few articles, such as inks, glazed kid and dressing, now obtained from the United States, because they are superior in quality; but in the preparation of many, if not nearly all, of these articles, Canadian manufacturers are rapidly improving. Perfection cannot be attained in a trice in the Dominion, any more than in other countries.” Mr. W. Tate’s establishment is engaged in the manufacture of boots, shoes, slippers and larigans, the two latter being specialties.

Mr. J. W. Correll, also engaged in the manufacture of boots and shoes, says:—“Trade is somewhat depressed, but I cannot complain for myself, as I am new in the factory business. If trade generally were better, business in the boot and shoe trade would, of course, be better.”

Wm. Hillman & Co., gold, silver and nickelplaters, explain the drop in wages in the following remarks:—“The increase of competition in our business has resulted in a decrease of the wages to the workmen engaged in it. The contrast between the number of places carrying on the plating business in 1878 and at the present time is quite marked. St. John, Woodstock, Fredericton and Moncton can each claim to have added one to the list, making in all 5 establishments, where in 1878 there was but 1. The keen competition in the trade has led to the adoption of new and improved labor-saving machinery, and the taking over of branches of the work hitherto ignored or left to be supplied from abroad. Nickelplating has also been incorporated with other branches of the business, at least in our establishment.”

Brown & Leitch, proprietors of the new Dominion Paper Bag Co., say:—“Business is not as good as last year; but this is partly due to our reluctance to push sales as we did last year, owing to the unhealthy condition of trade generally. Last year we kept a traveller steadily at work; this year we have not sought customers in this way. The result is, a smaller but more satisfactory business. In general we consider that business is exhibiting signs of healthy improvement.”

This concern, it is but proper to add, makes tags and tag-boxes, and secured a medal at the Centennial Exhibition. All the paper used is obtained from Buntin & Co., and the Canada Paper Company, of Montreal.

G. Pierce, barber and hair dresser, remarks:—“There are more persons in business than in 1878—fully half a dozen in my own vicinity—which accounts for the falling off in the number of hands.”

G. T. Barker, boot and shoemaker, says:—“Business not so good as in 1878, but that was an exceptional year, there being so many strangers—workmen in different occupations—in the city, the presence of whom, fully employed, helped to keep work lively, and money circulating freely.”

T. Keefe, boot and shoemaker, speaks of the "drop" in hand-made work as follows:—"The falling off in business is due to factory work, and to the fact that the trade is cut up a good deal."

John Sullivan, sign painter, says:—"The painting business is not as good as last year, but it is as good as an ordinary year. I think that the high figure asked by the men don't interfere to the extent of a dollar with the prosecution of work."

Wm. Logan, of the Atlantic steam soap works, supplies the following:—"Business is quiet, but this condition is not confined to our business. The same state of things extends to general business, and to other places than New Brunswick. The National Policy has widened the field of operations for our business, and enables us to successfully compete with the foreign article. Our business extends to Nova Scotia, and Cape Breton and to Prince Edward Island."

C. H. Peters, tanner, says:—"Business was better in 1878 than in 1884; prices were higher in the former year, and our establishment was left undisturbed by the fire of 1877. The year of 1884 is not so bad, though business may be regarded as a little draggy. A dealer will now order ten times instead of once, as in the olden time, carrying, of course, less stock."

F. A. Peters, jun., proprietor of the church organ factory, remarks:—"I find business good, and observe a steady disposition to encourage home manufacture. With all work issuing from this establishment a written guarantee of efficiency is furnished for five years, which is an important thing to those requiring instruments. I employ none but experienced workmen—have now in service two men from Leeds, Eng., one for the supervision of wood work and the other for metal work."

Scott & Lawton, proprietors of a planing mill and door, sash and blind factory, thus gauge the condition of business:—"Business not so good as last year, but I consider that this is due to general depression, and not to local causes nor to the National Policy. The year 1878 was an exceptional one, and particularly so with our firm, as our factory was left untouched by the big fire of 1877. We did a large business in 1878, but made a good many bad debts, which carried off a good deal of cream from the profits of the year. We carried to profit and loss, in 1878, no less than \$3,000."

G. P. Staples, watch, clock and jewellery establishment, says:—"Business pretty good this year, 1884; have plenty to do. The National Policy hurts this business both in the watch and jewellery line. We pay double the duty, but receive no corresponding increase in price."

J. Cullinan & Son, merchant tailors say:—"Times are dull, but receipts do not fall much below last year. The tariff stops the importation of American goods, the sales of which paid better than the sales of Canadian goods, which do not furnish so good a margin."

John C. McDonald, merchant tailor, says:—"Business quiet. I am doing very well. Have just as much trade as I can do. Money is tight, and collections are more difficult to make than in easier times."

George Blake, plumber, says:—"Business is a little slack. This is due to general depression, and to the fact that in my line things are overstocked for the amount of work required to be done."

W. L. Prince, master builder, reports as follows:—"Very good business just now. Have three contracts and considerable jobbing work. The National Policy has helped our business. There is not so much moulding work coming in from abroad, and the planing mills and sash factories are benefitted in consequence."

Stewart & White, furniture manufacturers, make the following statement:—"Trade is dull now, but not any more so than the year after the fire. The tariff is unjust to furniture manufacturers who use fine goods, for the manufacture of which there is not now, nor likely to be, any provision in the near future. Under it there is levied upon mirrors, 35 per cent.; Italian marble, 30 per cent.; haircloth, 30 per cent.; raw silks and plushes, 30 per cent.; curled hair, 20 per cent.; hardware, 30 per cent., and upon certain other articles duties so heavy as to make it impossible to compete with the larger establishments of the Upper Provinces, who have special lines and special facilities with their larger market."



Mr. Stewart declared further, that the National Policy was injuring the Lower Provinces. Mr. White, on the other hand, was not opposed to the National Policy on principle, but he believed that there might be a more satisfactory arrangement of duties, so far, at least, as the furniture business was concerned. Both claimed that on the articles not made in the Dominion, nor likely to be, there should be an abatement of duty."

J. & J. D. Howe, furniture manufacturers, talk plainly and courageously, and pipe a different tune from that supplied by Stewart & White. They say:—"Business not as good as last year, but better than 1878. The fall prospect does not look cheering, but we do not claim to be in a position to form a clear and accurate judgment; 1879 was a very bad year in the line of business to which we specially devote attention. The National Policy has helped our business. Don't know what we would have done without it. Were it not for the National Policy the manufacturers of the United States would flood our market. Inability to compete with the Ontario and Quebec people is due to incapacity rather than to any disadvantage in our position under the National Policy, or, indeed, geographically. In 1879 we had only 10 men and 4 boys employed, with wages rating the same as in 1878. There are a number of articles used by furniture men in manufacturing which are still dutiable; but as furniture manufacturers are protected by 25 per cent. duty, we don't think they can conscientiously complain of the tariff adjustment under the National Policy."

James A. McInnes, merchant tailor, explains a change in his business in this way:—"Last year I was doing a larger business on King Street, in which a Mr. Phelps was interested, having 8 men and 20 girls. The men got \$9 per week, the women \$7 per week. The business was sold out and reduced to its present dimensions. I work now only for cash, and this, of course, interposes a limit to operations. The scarcity of money in circulation bears upon business and curtails it."

John Hopkins, manufacturer of pressed meats, sausages, &c., spoke as follows:—"I am satisfied with the condition of things under the tariff. Trade is not quite as lively as some could wish; but for the lines in which I operate the condition of trade is satisfactory enough. The National Policy has in no sense hurt my business."

Miss Mary Carr, dressmaker, remarked as follows:—"Business is pretty good. Am as busy as possible. Could employ more hands if they were available. Find it a little difficult to collect. Regular customers rather slow in paying up."

Mrs. W. H. Jones, florist, is successfully working up a somewhat unique business. She makes all sorts of floral designs and funeral and wedding work, bouquets, &c. She has three greenhouses at Torryburn—a rose house, 130 feet by 60 feet, a smilac house, 60 by 80 feet, and one other.

Miss Eleanor Worrall, dress and mantlemaker, makes this statement:—"Business pretty good this year. Collections from regular customers somewhat difficult. Apart from this, have no cause to complain of the condition of business."

James Ready, of the soda water, lager beer and ginger ale manufactory, Union Street and Fairville, offers the following:—"Business not quite so good from January to May this year, as between the same period the two previous years; but the months of June and July will be about equal to the best we have had any year. A good deal of Belfast and English ginger ale are imported; but for the preparation of ginger ale I have imported an English machine, which will enable me to compete successfully with the imported article."

Walter Wilson, saw manufacturer, makes the following statement:—"Business in my line pretty dull just now. There is a large home competition as well as heavy competition from the United States. This condition of things may be regarded as rather exceptional. The United States competition is confined to one manufacturing concern—a house that is regarded as a king in the trade—that of Henry Ditson & Sons, Philadelphia. He has (as the Americans term it) a 'kind of dropped down' upon the western colonial market, and slaughters his goods in it.

"The National Policy is, in all respects, favorable to our saw manufacturers, and anything that comes to us in the shape of misfortune in business, does not spring from that policy.

"There are now in this city three saw factories, as against two in 1878, and four in the whole Province as against three in 1878."

Bryden Bros., plain and fancy biscuit manufacturers, remark thus:—"In 1878 trade was 'booming'; and, indeed, until this year, trade has been good. This year there is quite a falling off in business, collections are made with difficulty and the stability of customers is uncertain. A great deal of caution is needed in making sales, which, of course, restricts their extent. Depression times seem to be, in some sort, periodical here."

T. S. Simms & Co., proprietors of the brush and broom factory, Smyth Street, say:—"Business pretty good, though not quite as flourishing as last year. The dull times which are experienced all over the world affects our business in like manner as other trades. We have, however, no special complaint to make. The National Policy is, of course, helpful in our trade."

"We import paint brush handles from the United States, also wire and ferrules, which are furnished at a small profit to the makers. These could be made in the Dominion, and may yet be made, when the business enjoys greater development. We get broom handles from Nova Scotia. We have tried those made in St. Martins, N. B., but find that they are not so true nor so smooth as those from Nova Scotia. The use of better machines will, however, remedy these defects."

Stephen J. Lauckner, bread and cake baker, says:—"Business is very fair in my line, though not quite up to last summer. This summer, nor, indeed, any summer since 1878, has not been as good as the summer of 1878."

Francis Downing, confectioner, observes:—"Business 'not too bad' just now; quite as good as last year. No reason to complain."

John Norris, auger maker, submits this statement:—"The duty on short screw augers is 30 per cent., but importers get their goods (long and short augers) invoiced at same price. The long auger should be rated higher than the short one. The long auger should be 20 cents per eighth of an inch, and the short auger 12½ cents per eighth of an inch. Since the imposition of the new duty the price has been raised 10 per cent. by the dealers here on short screw augers. I can't compete under present arrangements. If the dealers did not undervalue, I could compete successfully. Let the undervaluation be checked, and I can, with the introduction of new machinery, compete, beyond the shadow of a doubt, with the foreign makers."

Michael Tole, brass founder, observes:—"Can't complain of business. I am doing very well. Have done better this year, so far, than in the preceding year."

Robert Green, engraver, says:—"I have plenty to do. Business not quite so good as 1878, which was, of course, an exceptional year. I am doing about the same quantity of work as last year. It is hard, however, to gather in the money. The National Policy doesn't affect my business much one way or the other. The duties may, however, have the effect of deterring people from investing in expensive articles, the engraving on which I might be called upon to execute."

Mrs. Price, dress and mantlemaker, says:—"Business pretty good. There is plenty to do. I could employ many more hands if I could get them. It is somewhat difficult to make collections, but I do not consider that the 'gathering in' is much harder than last year."

Joseph Dalzell, fishing tackle and rod manufacturer, supplies the following:—"Business is very quiet, attributable, no doubt, to the general depression. The National Policy is bad in some respects in my business. The duty on the wood—lancewood, greenheart and beef wood, grown in Demerara and East Indies—used in manufacturing fishing tackle and rods, when reduced to plank size, is 25 per cent. When imported in the log there is no duty; but though this may seem an advantage, it is really not so, for the reason that the risk in investing in logs, which may be run through with worm-holes, is too great to warrant a purchase of the kind. Mahogany and walnut, used by cabinet makers, are allowed into the Dominion, in



plank or board form, free of duty. Fittings, such as rings used in the manufacture of rods, are liable to a duty of 25 per cent."

D. Scribner & Sons, celebrated as rod-makers, submit the following:—"Business fair, though we have to sell all articles in our line at prices no higher than before the introduction of the change in the tariff. We get the wood in logs, and pay no duty. The logs are bought for us by experts. There would be an advantage if we could buy rod material in planks and boards. We make everything required for a rod, except the thread wrappings."

Charles Baillie, fishing tackle manufacturer, says:—"Business good—indeed, always good with me. A considerable proportion of my customers are in England and the United States. The National Policy forces me to pay much more for goods used in my business than formerly."

James Robinson & Co., boot and shoe manufacturers, speak of business in manner following:—"We have manufactured more goods, so far this year, than ever before in the like period. The fall trade is not over promising. The sales are not likely to be so heavy as is usual in the fall period, which, of course, is due to the general depression the world over. We still have to import linings, threads, inks, dressings, eyelets, hooks and rivets. Linings made in the Dominion are not considered as good as the imported article. On kid skins, which are not prepared in the Dominion, the duty is still retained. We only import that which we can't obtain in the Dominion of the requisite quality. We use all the varieties of machinery now known to the trade."

George B. Barker, Sydney Street, boot and shoe maker, says:—"Business good. I have all the work I can do. It is hard to collect money just now."

W. Cosman, tin and sheet-iron worker, makes this declaration:—"Business is middling. Can't complain very much. The National Policy don't benefit me to any extent; but, certainly, it don't injure me. I make all my own goods, except stamped wares, which are imported from England. I don't import any stoves now; I did import before the fire of 1877. Customers prefer our provincial manufactured stoves because they are cheaper, even if not so highly finished."

T. P. Rankin, confectioner, pastry baker, &c., says:—"The duty on some articles used in the manufacture of confectionery, which are neither grown nor made in the Dominion, operates to the prejudice of our trade somewhat. The duty on these and on the machinery used in manufacturing is about 35 per cent."

Samuel Laskey, cabinetmaker, says:—"I have plenty of work, though there is not so much of a rush as last year. The National Policy is, on the whole, a benefit to my business, as it tends to increase the work."

S. P. Osgood's marble, granite and freestone works, make this report:—"Business is good. Have plenty of work and a considerable number of orders ahead."

The manager of the London House clothing manufacturing department makes these observations:—"Trade is quiet this summer. We are making only for orders. We are, of course, working for winter, as usual at this season; but orders do not come in to the extent they formerly did in anticipation of the winter trade. This seems to be a waiting year. Customers are rather disposed to order carefully and as they need. Moderate immediate delivery orders appear to rule, and to these attention is specially directed. The buying-ahead practice is not so much in vogue now. The quiet trade of the year is due to over-production from western sources and to the universally depressed state of commerce. The prospect is that there will be a quiet fall and winter business."

Wm. Doherty & Co., custom tailors, say:—"Business so far pretty good. Owing to the backwardness of the spring, the season's trade lasts longer than usual. The prospects for the fall and winter are not good, but the outlook for spring is fair. Collections are made very slowly."

Emerson & Fisher, manufacturers of mantels and tinware, and general stove fitters, speak, with reference to their particular lines of trade, in this way:—"Business in the city is dull, but in the country it is very fair. Competition with Montreal and Boston is very keen and profits are very close. The prospect for the fall is

ly fair. It is our opinion that the old tariff system afforded, in an incidental way, needed protection. Any industry that could not exist with that would not be a legitimate industry. But can't say, as to National Policy, whether it has been beneficial or no. Not in a position to know exactly, without prejudice, though we think it is no great advantage. The duty on slate, of which mantels are made, is 25 per cent.; on finished goods 30 per cent. On branches that enter into the manufacture of mantels, the duty is quite as much as on manufactured goods, therefore no protection is afforded."

James S. May, merchant tailor, speaks cheerily, as follows:—"Business very good, though not quite up to last year. Don't feel any effects of prevailing depression."

Campbell & Ellis, plumbers, steam-heaters, and tin-plate and metal workers, say:—"Business depressed; but the depression seems to be universal—a sort of paralysis in trade everywhere. Collecting slower than last year."

James McNichol & Son, merchant tailors, submit the following:—"Business this year, so far, is very dull. The year 1878 was an exceptional one—at least, during several months of it, owing to the special wants of the surplus or transient population. Business relaxed from fall of 1878 till beginning of 1881, when it revived somewhat, and continued improving till the spring of the present year, when a falling off was again experienced. The dullness in the city, to which the travellers or 'bummers' say the dullness is confined, is due to over-production and the over-stocking of Upper Province people. The general depression, and especially the depression in the lumber trade, upon which this city and province is much dependent, has also something to do with the existence of the tough time now prevailing here."

D. Magee's Sons, hat, cap and fur manufacturers, report that:—"Business is better than last year. There are more cash sales, which is all in favor of this year."

Peter Sharkey & Son, merchant tailors and clothiers, note that:—"Trade is not so good, so far, as last year, nor can it compare in any sense with 1878, which, of course, was an exceptional year. The two years succeeding 1878 were also good. The depression is not common to this locality, but from all accounts prevails all over the world. Over-production in the western provinces, whose products are brought to competition with the manufactures of our own people, contribute to the hard times here. We would have as many more hands employed if our markets were not so bad in the way indicated."

J. R. Woodburn & Co., confectioners, make a cheery presentation. They say:—"Business is good in our line—better, so far, than last year. Collections never better in our line of business. This year's indications are better than those of 1878, which was a very good year, even though an exceptional one, on account of the disastrous fire of 1877. During the Christmas period we usually have 25 hands employed. The figures given for tabulation are the average of the whole year."

S. L. Sharpe, watchmaker and jeweller, says:—"Business very fair. Compares favorably with last year and, indeed, with any year since the fire of 1877."

O. S. Odell, paper box manufacturer, says:—"Business, on the whole, not so good as last year, nor as 1878. In the spring of the present year I did a very good trade—quite as good, indeed, as during the like period of 1878."

L. D. Clark, of the Maritime Lithograph Co., says:—"The National Policy has not been of any special benefit to us. On the surface papers and cardboard used in our business, which can only be obtained in the United States, 30 per cent. is charged as duty. On lithograph stones—obtainable only, of the proper quality, in Germany—a duty of 20 per cent. is levied. It is true, there is a sort of quarry in Ontario, but the stones from it have proved useless. We have plenty of work, but our business is no better than last year."

Thomas Nash, manufacturer of mineral waters, lager beer and ginger beer, says:—"Business not so good as in 1878; but, since the summer fairly opened, it is as good as the same period last year. The prospect is fair for fall trade. The general depression, so much talked of, does not affect my business very much. The new License Act, however, which requires shops to close at 7 p. m., very materially



affects my business. Before it came into operation, Saturday was, with me, as good as any two days in the week."

A. Isaacs, cigar manufacturer, reports:—"Wholesale trade, fair. Business this year, so far, about 25 per cent. better than last year. The prospect for full business is good. It is rather difficult to make collections. Our market is in the Maritime Provinces."

William Purchase, watchmaker, says:—"Business not quite so good as last year; but, setting that aside, it is as good as any year since I recommenced business after the fire."

W. Martin & Son, custom tailors, say:—"Business not so good as last year. Over-production is the cause of the falling off. The prospect for the fall and winter is good. Just now it is somewhat difficult to make collections."

J. H. Doody, plumber and gasfitter, says:—"Business is good—better than last year, but not better than 1878, though when the losses of that period are considered, it may be regarded as no worse than that year."

Thos. Lunney, clothier, says:—"The past two months of this year have been much better than the similar period last year."

Andrew Burrell, clothier, says:—"Business very good all summer—better than the same period last year. Rather difficult to make collections."

D. Coughlan, clothier, presents a new view of the tough times, or rather a principal cause of its prevalence in St. John. He says:—"Business is very quiet—not nearly so good as last year. The presence of the ocean 'steam tramps' seriously hurts the trade of St. John. Not requiring ballast, watchmen, repairs, ship-chandlery—of which they have a supply—truckage, wharf accommodation, water, nor, to any extent, the services of butcher, baker, &c., such as sailing vessels require, nor permitting many other expenditures, by reason of their short sojourn, the outlay in the port is but a fraction of the money sailing vessels would leave. These 'tramps' usually load in five days; sailing vessels would take a much longer time. The loss of yield to the port from the superceding of sailing vessels in the carrying trade by these 'tramps,' affects all kinds of business, and, in my opinion, does much injury to general trade—more, indeed, than people generally are aware of."

Harris Allan, brass founder, remarks as follows:—"Business during 1884, so far, has been good; but the prospect for the fall is not encouraging in my line. Bad freight, and the slackness in shipbuilding, makes the demand for brass work used in vessels pretty slim. The depression is not confined to this part of the world, nor yet to this Dominion. It prevails everywhere, as anyone who carefully scans the papers can see."

Luke Brown, sailmaker, follows clothier Coughlan's lead in giving reasons for the complained-of hard times:—"Business dull this year owing to bad freights and the presence of so many of the 'ocean tramps.'"

John Mitchell, carver, tells a dolorous story. He says:—"Owing to the slackness in shipbuilding at this port, work in ship carving is at a standstill. Carving formerly done for the Nova Scotia shipbuilders is now prepared by themselves or their own carvers. There is really not work enough for one shop."

Laskey & Son, blockmakers, say:—"We were rushed in July, but work came along somewhat fitfully. This year has, so far, turned out as good as last year."

Robert O'Brien, block and pumpmaker, speaks more cheerily than some of his *confères*. He says:—"Business fair. It is quite as good as last year, and about the same as 1878. There is not much variation in my business."

J. F. Lawton's (saw manufacturer) superintendent briefly remarks thus:—"Business dull this year. Depression in the lumber trade affects sawmaking, and so bears upon this business as upon other matters in the same line. There was a good spring opening, but a 'drop' was experienced soon after. The year opened as good as last year. How it may end is problematical."

S. R. Foster & Son, of the nail and tack works, and pioneers in the latter trade here, speaking through the junior member of the firm, carefully, thoughtfully and with no ordinary degree of intelligence, on the condition of business and the causes which

operate to the prejudice or advantage, especially of those engaged in like occupations with themselves:—"Business is pretty good this year, quite as good as last year, and with ourselves quite as good as 1878. Prices have been as good the past two years as formerly, though last year a slight drop was experienced, owing to the generally depressed state of trade all over the world. The principal markets in which we figure are those of the three Lower Provinces; but we make sales also in the Upper Provinces, especially in Quebec. The Upper Canadian or Ontario people manage to hold their own market pretty well to themselves. The possession of greater capital than we can grasp in the Lower Provinces, and the larger facilities which they thereby secure, enables them to do this; and then, at the commencement of Confederation, the western Provinces were pretty well ahead in certain lines of manufactures:

"We are developing a trade with the West Indies, which we operate mostly in the winter. With improved facilities for transportation, we ought to be able to do a good business, with all the British West Indies at least, and, perhaps, Brazil and other South American countries. The adjoining Republic has many advantages over the Dominion in the matter of transportation to the sections referred to. Prices in the United States just now are very low, as low, indeed, as they were in 1877; and this state of things would, without the National Policy which the Dominion now enjoys, enable the Americans to damage, if not kill out, our rising industries. There is no prospect, judging by a careful survey of their market prices and business, of an early let-up in respect to prices. The generally depressed state of trade in the United States for some time past, the financial 'bursts' of recent days, and the absence of a brisk foreign demand has all tended to reduce prices.

"The National Policy has, in my opinion, proved the salvation of the infant industries. During the American war the demand for various manufactured products, stimulated existing factories and encouraged the starting of new ones, and for ten years prosperity reigned in these lines in the Lower Provinces. I say ten years advisedly, for although the war continued only four years, war prices prevailed during the balance of the decade. Then came a period of languishing; and the advent of the National Policy lifted the drooping spirits of the industrial classes and gave new courage to the men who controlled them. Had it not been for the National Policy our own business, which was suffering, would have been 'snuffed out' along with many industries. Ever since the advent of the National Policy we have gradually been gaining."

Thos. Rankine & Sons, proprietors of the extensive biscuit and cake factory, submit their views in this form:—"Business not so good, so far, as last year, during the same period; but it is better than 1878. The volume of business last year and so far, this year, is greater than that of 1878. As giving some idea of the extent of the business, we can say, from actual figures in our books, that in 1878 we consumed 4,320 brls. of flour, 67,461 lbs. of sugar, and 64,427 lbs. of butter and lard; in 1883, the consumption was 6,706 brls. of flour, 129,805 lbs. of lard and butter, and 122,093 lbs. sugar.

"The National Policy has helped us much in the border towns. In the work of manufacturing it is, in some respects, detrimental. On the article of lard, which is used largely in our work, the duty has been doubled. At present we can't get lard in the Dominion in the quantities desired; nor can we get coarse grades of flour. On coarse flour the duty is 50 cents a barrel. New York is the headquarters of that grade of flour. This coarse flour is used in making ship-bread. The attempts in the Dominion, that have so far been made, to supply this class of flour, have proved failures, as the product, so far as yet tested, won't keep, and is not satisfactory for the purpose required. All the merchants here who keep this grade of flour import it from New York. We know it by the term 'middlings.' It is classed in New York as No. 2. Flour for ordinary and superior work can readily be got in the Dominion, though even in these there is at times a lack in the keeping quality.

"Competition with Montreal and western factories is keen, in consequence of sales made below home prices. Our standard prices compare favorably with their prices. Our markets are New Brunswick, Nova Scotia, Prince Edward Island and



Newfoundland. We experience difficulty sometimes in supplying the latter Province, as communication with it is irregular and difficult."

Call Brothers, soap makers, speak in a confident tone of business, present and prospective :—"Business is first-class. We are as busy as we can be, and have orders ahead. The volume of business is as great so far this year as it was last year, and as great as 1878. But competition is keener this year, especially with Montreal and Toronto. Notwithstanding all this we can hold our own against all comers. We have made more stock this year, so far, than in the like period in 1878. Prices are not so good, however, as those of former years."

E. R. Moore & Co., St. John nail, spike and tack works, supply some interesting particulars :—"Can't complain of business. Fair demand for nails. The trade this year is better than last year. We are getting an enlargement of orders. Coldbrook works having been added, of course enlarges our trade. The Mill Street factory proper is doing about the same as last year."

"Montreal makers now run same prices; formerly they cut into us. The general depression does not appear to affect our business. We are not running Coldbrook as fully as it could be run, the demand being insufficient at present."

"In 1878 profits were larger, and we did less work. Now we are doing more work than in 1878, but the profit is lighter. We find a market for our products principally in Nova Scotia, Prince Edward Island and our own Province. We don't supply the upper or western Provinces. In former years we shipped nails to the West Indies, Brazil, Wales and some of the West India Islands."

"The United States never were competitors of the Maritime Provinces in our trade."

"The rolled iron is not as cheap now as when there was a lighter duty on the rolled iron. There are not as many machines running now as in 1878. Formerly there were five factories; now there are only two."

Bradley Brothers, block-makers, say :—"Business is not as good as last year. Every year since the fire has furnished about the same amount of work, till this year. The absence of shipbuilding affects our work."

D. McLaughlin & Sons, boiler manufacturers, pipe a cheery note. They say :—"Work is brisk with us, though not quite so good as last year. This year, so far, is about the same as 1878, and as good as any of the intervening years. Money collections are not easily made just now. The talked-of depression does not effect our work much, if at all."

James Hurley, boot and shoe factory, makes the following declaration :—"Wages are as high now as formerly, from the fact that labor is in demand, owing to the more skilled workmen having left for the United States. Business is better than last year, but the losses reduce the profit, and the confidence of former times between seller and buyer does not prevail. I find a market for my products in Nova Scotia and New Brunswick. I make a specialty of men's and women's fine goods. I can manufacture so as to compete with American goods. All the stock used in ladies' fine goods has to be obtained in the United States, such as linings, trimmings, &c., and American kid. The duties cut the profit on the fine goods very close."

G. L. Young's fish-curing establishment furnishes the following information :—"Summer business dull. This is due to the low price of fish in Boston and New York markets, and the diminished prices are ascribed to the 'general depression.' The prospect for fall seems to be good. Our establishment is principally engaged in curing salt and dried fish, such as cod and pollock, pickled fish, shad and smoked alewives. We find a market in Upper Canada in winter for haddies and bloaters, and in spring and summer in Boston and New York."

J. Pender, horseshoe nail factory, has much to say, and among it all a good deal that will be found new and interesting :—"Business is not half so good as last year. There is no demand and no consumption worth talking about. I compete with three nail factories in Montreal, and successfully, too. My business is somewhat peculiar, and is liable to be easily overstocked. I ship to Australia, Europe, West Indies and Newfoundland 30 per cent. of all the nails I make."

"The tariff is hurtful to my business, in respect to the duty on the raw material not procurable in the country, such as Swedish charcoal iron rods, 17½ per cent., and hard or anthracite coal, 60 cents per ton. The duty on tool steel is objectionable, not only because it is used in making tools, but because it could be used for making nails. Nail rods can't be got in Canada at any price for horseshoe nail manufacturing. They can't be made here, because the ores of Canada do not possess the requisite excellence. No country, save Sweden and Norway, has ever yielded an iron suitable for horseshoe nails. This iron comes here in a form unsuitable for any other purpose than horseshoe nails, therefore it cannot be said that if it came in free it might be sold for other uses. The Government's drawback on the iron from which horseshoe nails are made—35 cents per hundred, or 90 per cent. of the duty paid on weight of nails exported, not weight of original iron—miscarries, in a degree. It does not serve fully the purpose for which it was intended, and is insufficient, and is not yet as much as paid by the United States Government to their manufacturers of the same class of goods. In the process of manufacturing nails 25 per cent. of the material is wasted.

"The Yankees are not competitors with us. American horseshoe nails are 4 cents per pound higher than they are at present in Canada."

William Campbell, spring, axle and edge-tool manufacturer, talks in a hopeful strain, as follows:—"Business as good as last year, and even better. I find a market through the Lower Provinces. Upper Province and American makers try to compete, but I manage to hold my ground.

"The National Policy helps my business. If it were not for that policy I might get away from this place. The Americans would swamp the place with axes. In any effort of the Americans to compete, they have to suffer loss of duty in their effort to get rid of surplus stock."

W. H. Fairall, of the Seamless Stocking Manufacturing Co., says:—"Business flat this year. The factory has been shut down for a time. Last year we had all we could do, but confined operations to knitting. This year the addition of machinery enables the factory to spin the yarn as well.

"We find a market for our products in Montreal, Toronto and Winnipeg. In fact, these western districts furnish our principal customers. In the Lower Provinces we have had no encouragement."

George F. Simonson, paper box maker, offers the following, which may be useful to Dominion manufacturers interested:—"Trade is a good deal better than last year. One difficulty with which our industry has to contend is the matter of glazed paper. The quality of paper made in the Dominion is inferior and higher in price than that obtained from the United States. Besides, more time is consumed in getting it—frequently ten days, from Montreal. Freight from the United States is 3 cents, and from Montreal a much larger figure. The duty on glazed paper is 30 per cent.; on boxes 25 per cent. I get all my strawboard from Michigan, because I can't buy as good or as cheaply in the Dominion. Michigan strawboard can be laid here at \$43 to \$48 per ton; while the Dominion material will cost from \$50 to \$60. The duty on strawboard is 20 per cent.

H. C. Martin & Co., portrait artists, who have recently established business in St. John, say:—"We get all we can do, and have enough orders ahead to keep us going for three months."

These artists paint portraits in India ink, water colors, crayon, oil, &c.

R. H. B. Tennant, shirt factory, is hopeful and confident. He speaks boldly, in the following:—"Trade is good in my business, which, by the way, is a special one, and affected much by fluctuations. The National Policy has been rather a gain to our manufacturing work, inasmuch as it keeps out the overshadowing influence of United States manufacturers.

"I can sell my shirts cheaper than any similar article can be bought in any part of England, Ireland or Scotland; and I can supply a shirt, with linen bosom, bands and cuffs, for 85 cents, a figure with which no American house can compete, and an article which they cannot excel in quality or surpass in fit."



W. Bruckoff, picture frame maker, says, and western factory men will do well to make a note of it:—"Trade is not so good as last year, nor as good as 1878. The general depression affects my trade. The National Policy don't help us much, for the reason that I pay higher duty than formerly on articles not obtainable in Canada—on picture glass 25 per cent., window glass 25 per cent, mirror plates 30 per cent. A Toronto establishment has made an abortive attempt to supply the latter. Mouldings made in Canada are not so good as the United States makers supply. We can and do get our best mouldings from the States. Toronto makers do not supply so good an article."

G. R. Bent, pianoforte and organ manufacturer, remarks as follows:—"Business not so good as last year, nor as 1878. This is attributable to the depression in business generally, and to the consequent inability of people to indulge in the luxury of a musical instrument. Were it not for the National Policy my business would be entirely cleaned out. Without the National Policy, the surplus products of the United States would be brought here and 'slaughtered,' to the injury of our own makers."

A. & J. Hay, watchmakers and jewellers, say, in terse words:—"Can't complain of condition of business. Better than last year."

D. O. L. Warlock, watchmaker, declares:—"Business was never more quiet for six months together, since 1850. The cause of this is the great fire of 1877."

Chas. K. Cameron, milliner, says:—"Business is better this year and last than for any of the years since 1878."

Manks & Co., manufacturers of silk hats, cloth caps, fur goods and straw goods trimmings, say:—"Business generally is much duller than usual, and is suffering, of course, from the general depression. In some special features there is, however, quite an improvement. With advance and improvement in general business, there will be a like experience here."

McNichol & Russell, merchant tailors, say:—"Business not so booming as 1878, nor as good as last year. The general depression and diminished work for the laboring classes causes business to languish. Confederation hasn't helped our business. It enables the Montreal and western dealers to overload our market with the goods of the same description as we make, and at prices below competing figures."

Francis & Vaughan, boot and shoe manufacturers, remark:—"In the retail department business is better this year than last; in the wholesale department it is rather flat. The wholesale trade is not so good as in 1878, nor as good as last year. This is attributable to the stagnation all round, the depression in lumber having a good deal to do with it. The tendency among country buyers is to the exercise of greater caution. They order in smaller quantities, and only as urgently needed. There is an indisposition to carry stock to any extent. The fall trade is problematical, as dealers are holding back as if waiting for developments."

James McCullough & Co., manufacturers of men's, youths' and boys' clothing, have still a strong prejudice against the National Policy. They say:—"The National Policy has affected our business injuriously. It has inflated industrial pursuits, and made the Maritime Provinces tributary to the west."

Mr. Christie, of Alex. Christie & Co.'s sash, blind and door factory and planing mill, says:—"In 1878 there was a big 'boom,' and we were filling contracts as well as running the factory. Now, the company into whose hand this concern has passed, are running only the factory. In 1879 the 'boom' ceased; in fact, the bottom seemed to fall out of everything, and a good many losses was the result. Our business was much damaged by the general collapse, and our firm had to succumb. Business just now is quite dull. There are very few buildings in course of erection in the city, and there is very little demand for factory work in the country districts. The depressed condition is due to the low price and small demand for lumber, to the effects of the big fire of 1877, direct and indirect, and to the general stagnation in trade the world over."

H. F. Iddiols, manufacturer of safes, vault doors, wire window guard and iron railings, electric bells, &c., says:—"Business with me is pretty lively, even outside of

the good line of work I have from Intercolonial Railway, in fitting up 14 vaults, and from Marine Hospital in fitting up the vault doors."

John Drury, builder, is not disposed to rank among those who grow despondent over the country's condition. He speaks out boldly and confidently, and in form following:—"There was a big 'boom' in 1878, the amount of building in St. John after the big fire of 1877 making a large amount of work. The 'boom' ceased in 1879—in fact, the bottom fell out of it. There is a better business being done this year than in 1879, when I had only half the men employed. There is a great deal of repairing under way this year. In my line there is more business in progress this year than last, and I have one-third more men at work. I never had less trouble in making collections in ten years past than this year. This is, perhaps, explained by the fact that only those well able to pay have work done, and I only undertake work in cases where the pay is sure. I have also collected, on old claims, a good deal of money this year, which is not too bad a record for 'hard times.'"

Smith Bros., fancy cake and pastry bakers, report:—"Business pretty good—about as good as last year. The condition of business in other lines don't affect us much."

W. F. & J. W. Myers, machinists, say:—"There was a big 'boom,' especially in our business, in 1878, due to the results of the fire. This year is as good as last year in our business. There is more outside work and less St. John work than last year."

J. & W. Shaw, bakers, put on record the following:—"Business pretty good—better than last year. 1878 was an extra good year, but that was due to the great fire of 1877, which brought in a large transient population. Our best years were 1874 and 1875.

"The National Policy has operated to the prejudice of our business, in so far as it had the effect of advancing the price of even Canadian flour. American flour, which we use jointly with Canadian in bread-making, has also been made dearer to us than formerly by the duty imposed. There is no really strong flour coming from western Canada this year."

George Mitchell, bread and cake baker, remarks as follows:—"Business pretty fair since spring. The depressed state of trade generally don't affect me very much. I use two-thirds Canadian and one-third American flour. Canadian flour has deteriorated in late years. As a general thing, it is unreliable. About eight or nine years ago I could use brands as to quality that I cannot now use at all. Deterioration in quality is, I believe, a good deal owing to the seasons. Last year's crop was a specially poor one. In the coarser grades, the Canadian flour is deficient in strength, as compared with the American. In 1878 I could buy better flour for \$5.80 than I can now buy for \$6. Manitoba flour is good; it is something of the character of American flour, and may be used to advantage in supplying its place"

The manager of the St. John Cotton Mill, Courtenay Bay, submits a statement, in part of which there crops out a view of the cause of depression not yet touched upon. He says:—"Wages range from \$15 to \$6 per week for men, and from \$7 to \$1.80 per week for females. Business is terribly flat. Within the past few days (July 31) there has been considerable stiffness. We have been working from the start on a falling market. For some little time we have been met on our own terms and rates from Toronto and Quebec, and without any attempt at a squeeze. I judge from this that dealers are falling short and that the need of supplies is somewhat urgent.

"We have 250 looms; we are running only 150. Almost every one of the other cotton mills have curtailed.

"The depression is due to the fact that the purchasing power of the country was impaired by the failure or partial failure of the crops, by the partial employment in various industrial pursuits, and, in these lower Provinces especially, by the low prices ruling for deals. Over-production is another and added cause. There has been altogether too much production for the purchasing ability of the people."

George Fleming & Sons, machinists and founders, have this to say:—"Business flat. We are building a pair of engines and a boiler for Ernest Hutchison, of the



north shore, and a number of buoys for Lepreaux. The dullness in our business, the like of which has not been experienced in thirty years, is due to general trade depression, and that has its rise in over-production. Three or four years ago the locomotive shops in the United States were filled with orders, at \$13,000 to \$14,000 for each locomotive; now they are seeking orders at \$8,000 each, and a great many of their shops are entirely shut down. The Kingston works, Ont., have been closed down for two months. The National Policy has helped our establishment in the matter of locomotive construction. There are some features of the tariff which minimise the advantages, such, for instance, as the matter of boiler tubes and a few other things which are not made in the Dominion, on which duty is levied."

The St. John Bolt and Nut Co., speaking through its president, Bela Lawrence, Esq., say this:—"Business this year is very good. We have plenty to do, but it is rather difficult collecting on credit work. This year's business, so far, is an improvement upon last year, and we are finding customers all over the Maritime Provinces. Prices are no higher than those of the past two years; indeed, they may be regarded as a shade lower.

"The National Policy has been the making of this business. It enabled us to float in the first instance; indeed, without it we could not manage to keep in operation. We have never yet made any effort to reach the trade of the western Provinces, having all the work we could manage to do from the eastern section of the Dominion. We have, however, filled satisfactorily some orders sent to us from the west."

Edward Hayes, baker, says:—"The National Policy is not helpful to my business. I use about two-thirds American flour. The American article is preferred because of its strength."

James Harris & Co., whose senior member is considered the veteran foundryman, machinist and car wheel and car builder, say:—"Business is pretty dull just now. We attribute the present condition of trade generally to over-production. The National Policy has been a benefit to our business; but the benefit would have been enhanced in a greater degree had a larger proportion of the requirements for the public service been satisfied here. It is but fair to say, however, that without the National Policy the condition of the country, seriously affected by outside causes, would have been desperately bad. The steel wheels that our establishment is manufacturing have the merit of being superior to anything now in use on the railways. Some five or six hundred are in use on the Intercolonial Railway, and giving satisfaction. In every case we are willing to guarantee for four years every wheel that we turn out. Our establishment has the capacity for doing three times the work that it is now turning out."

R. B. Damery, boot and shoe counter maker, says:—"Business not so good this summer as it was last year; nor yet so good as it was in 1878. The year 1882 bears the record of my heaviest year's business. The National Policy has checked the trade hitherto carried on by the shoe industry here with the United States, and to that extent it has been and still is a benefit. I have the Upper Canadians, who are able to carry heavy lines of certain stock, as competitors; but on the whole, I manage to hold my own with them, though it is but honest to say that I would prefer to be free from so keen a competition as they give me. This, I suppose, is too much to expect. I supply the greater part of the local shoe trade, and do a good deal of business with dealers in the other Maritime Provinces."

Josiah Fowler, of the Maritime Spring and Edge-tool Works, says:—"Business has to be pushed in these days, as competition is keen and prices lower than formerly. The volume of trade is not quite so large as last year. The tariff has raised the price of steel  $17\frac{1}{2}$  per cent. This is, of course, in the interest of the New Glasgow Steel Works, which, as yet, does not make an article that can be profitably used. The product of the New Glasgow Works is very good for striking hammers and nails. There is also a duty of  $17\frac{1}{2}$  per cent., formerly 5 per cent., on iron used in the manufacture of axes."

Hatfield & McLean, founders, who started in June, 1883, say:—"Business is fair, and there is a good prospect of a healthy trade. We cast for Fowler, Caird &

Kerr, I & F. Burpee, of Brussels Street, A. Jamieson, Messrs. McAvity and others. We supply plumbers with soil pipe which they were formerly compelled to import."

Caird & Kerr, machinists, say:—"The National Policy is a good thing for our business. Although the volume of work is not so good as last year, we find enough to keep our force employed. The prospect for the future looks better, judging by the way orders are coming in."

John Abrams, mowing machine maker, says:—"The National Policy works well for my trade. The late Sir Albert Smith, of Westmoreland county, made me a National Policy man. It may seem odd to say this, but it is true, nevertheless. I could have sold 200 machines this summer if I had had them to supply."

H. Hazlehurst, iron founder, says:—"Without the National Policy my foundry would have been shut up. The policy has worked well for our trade generally. It is true that the present year is a dull one, but this is the prevailing cry all over the world. The National Policy is not, in my opinion, responsible for the general depression in trade throughout the Dominion."

"There is a slackness in the money market here; and the customers who buy from us, but also import other stock, are the hardest to deal with in settlements. They make strenuous efforts to pay their drafts from outside quarters; but from the home producer they do not hesitate to ask renewals for maturing note claims."

"Before the big fire of 1877 my wages bill never exceeded \$50 per week; now it runs up to over \$200 per week."

"Instead of customers now having to pay more for articles manufactured than they formerly did, they are paying less. I am now selling to the New Brunswick Railway Company for \$800 a turn-table which formerly cost the Government, in Philadelphia, when the Mackenzie Government was in power, \$2,000. I have supplied railway stations in Cape Breton, Antigonish, Pictou, Truro, Digby and Yarmouth, N.S., Fredericton, Woodstock and McAdam, N.B., with turn-tables. To Manitoba I have sent four, and to Prince Edward Island, Point du Chene, Moncton, Shediac, Newcastle and Campbellton, N.B., Chaudière, Hadwell and Rivière du Loup and some other places turn-tables also have been supplied—all since the National Policy came into operation."

"I run a foundry at Coldbrook as well as this foundry on the city road. The former was started with a view to make car-wheels."

The Valley Grist Mill, on City Road, reports:—"We have all the work we can do. We run from 7 a.m. to 10 p.m. We have been doing this since the 17th March. The prospect ahead is so encouraging that we shall enlarge on 1st September. We grind cornmeal."

Fairbanks & Co. (planing and sash and door factory) say:—"The sash and blind business is very brisk, considerable orders coming in from country districts. The planing branch of our business is slack. This is partly owing to the small amount of building work in progress in the city, and also partly to the fact that several saw mills in the vicinity have introduced planers. We can't say that the general depression has affected our business very seriously. Although there are not many buildings going up in the two cities just now, there is a good deal of repairing going on. Collections are not so easily made as in flourishing times; but, after all, even this part of our work is 'not too bad'."

A. L. Law (Gilbert's Lane Dye Works) says:—"Business is a little flat, but this is generally regarded as the flat or dull season. So far this year business will compare favorably with last year, but it is not so good as 1878, which latter was, of course, an exceptional year, owing to the results of the big fire of 1877."

G. H. Waring (foundry and machine shop, Indiantown,) reports:—"Business very good this year so far, though not quite so lively as last year, which was an extra good year. I have not felt the 'general depression,' so much talked of, to any appreciable extent, except, perhaps, in the matter of collections, which are not made so easily as formerly. We have done so well that we have been able to retire every note or acceptance during the year, never, in any case, asking or requiring renewals."



"The National Policy unmistakably helps my business. Without it I believe business would not be nearly so good. Before the National Policy was adopted the need of some such policy was seriously felt in my line, and its adoption was hailed with satisfaction. I feel to-day as kindly towards the policy as at its inception. The policy secures for this concern work which would be sent for execution to the United States, it being out of our power, without its protecting influence, to compete with our Republican neighbors, with their immense facilities.

"The fall business in my establishment bids fair to be as good as it usually is at such seasons, if not better. There is no present indication to the contrary."

Hayford & Stetson (saw mills) say:—"Business this year not so good as last. Over-production chargeable with the falling off."

Gunter & Co., of shingle factory, remark as follows:—"Business fair this year so far. The shingle trade has, in our opinion, held up as good, if not better, than any branch of the lumber trade.

"The National Policy does not strike our industry directly. The shingle trade is affected by it to the same extent as the lumber trade.

"We find a market for two-thirds of the shingles we make in our own Province and Nova Scotia."

Price & Shaw, carriage and sleigh manufacturers, say:—"In 1878 and 1879 business was specially good, more money being afloat, and the demand freer. Business is not so good this year as it was last year. We have sold about the same number of waggons, but at lower prices. In 1879, we got \$175 for a waggon that to-day we sell at from \$130 to \$140, and \$250 for a carriage that to-day we sell at \$235.

"The stock used in our business has to be got in the United States. The hickory of Canada will not compare favorably with that of the United States; it is softer, and, besides, there is very little of it to be had. Leather, too, of cheap kinds, can be got in the Dominion, but the better quality, the finer finished and most serviceable article, has to be obtained in the States."

Cochran & Rogerson, carvers, say:—"We are having a quiet time. The carving business has, vulgarly speaking, 'gone to pot.' The revolution effected in the ship-building business the past few years, and the substitution of steam for sailing vessels in the carrying trade has splintered the trade out here. Formerly, we had on hand carving for fourteen vessels in a year; now, we don't have more than four a year, taking last year as the standard for the latter figure. There are numbers of small craft, such as schooners, building in different localities, from which we get nothing to do, carving not being needed."

Kelly & Murphy, carriage and sleigh builders, say:—"Business this year up to August has been unexceptionally good. We had \$15,000 worth of new and old waggons in the fall and winter, and now (August) we haven't \$1,000 worth on hand. Our business is better this year than last, and better, indeed, than any previous year."

Joseph McAfee, iron founder—stoves and ship castings a specialty, says:—"Business is just as bad as it can be. The depression in ship-building is the cause of the prostration in my business. The stove trade is quiet this season. I will very soon start up the foundry, which has been shut down for a short time, for stove casting, to meet fall trade demands."

Thos. Connor & Sons, New Brunswick Cordage Works, (burnt down in December, 1883, and rebuilt) make a good report. They say:—"Business is 'booming'—is very good, and the fall and winter prospect is bright. It is better than last year; in fact, there has been a gradual increase since the winter of 1882-3. The old factory was destroyed by fire in December, 1883. We ship to all parts of the Dominion, east and west. There is quite a trade in binder twine, used for harvesting, and also for rope used in pitching machines. We are fast superseding; in fact, we have driven out the Americans from competition in rope and twines used in the fisheries and in the outfitting of vessels. Business is much better now than it was in 1878.

"There are only four rope factories in the Dominion.

"The National Policy works favorably for our trade. Without the National Policy we would have a hard time to meet competition with any hope of success. The combination of the United States factories to regulate prices in their own country, would have worked against us along with the 30 per cent. The other day we refused an order from New York for upwards of \$125,000 in one line alone—harvest twine. The price was a little lower than we thought should rule in the market at the time. Negotiations are still pending, and the offer will likely be renewed at better figures;—it must be, to receive consideration in the present thronged state of the market. Canadian twines and rope are considered superior to all makes of American, but one, and fully equal to that one—New Bedford.

"We are working now with our improved machinery at the fullest capacity to supply the demand from all parts of the Dominion. Our traveller never finds it necessary to make extraordinary exertions to push our goods. Their quality is their best recommendation."

Court Brothers, butchers, pork packers and ham curers, speak complacently of business matters:—"Business is as good this year as it has been the past few years; money, it is true, is a little harder to gather in. Last year we packed considerable western pork for local use. We engage in the preparation of sugar-cured hams quite extensively; it is difficult to get all the hams we need. We intend to dip heavily into pork-packing in future."

Nehemiah Logan & Sons, fishermen and boat builders, say:—"Fishing in 1884 is better than in 1878, but prices are lower. Boat building is not as good as in 1878. There was a greater demand for boats at that time than this year, and many were engaged in deep sea fishing. Boats for sporting purposes are not so much in demand this year."

John Kimball, wool-puller and tanner, says:—"Business is good enough, but there have been so many failures of late that we are forced to move warily and to be very choice in the matter of customers. Wool is low in price, and we find a ready enough sale for hides, but the trouble is to realize after we sell.

"The National Policy helps my business very much. It operates to prevent undue competition by parties engaged in the work in the United States. We are able to keep them out of the market, and a home market is here found for wool that was formerly carried across the line."

E. B. Colwell, fish dealer, described some defect in the law, with reference to the matter of the inspection of fish, which gave dissatisfaction. He said:—"There is no allowance made for shrinkage. Each barrel is certified as containing 200 lbs., which would be correct enough at the time of inspection; but, in the process of time, shrinkage would cause a reduction in many cases to the extent of 20 lbs. This could be obviated if inspectors were required to consider the shrinkage matter in the manner of making inspection, which they could very easily do without adding seriously, if at all, to the labor."

The Quaco Wood Manufacturing Company's Works at Henry's Lake, St. Martin's, have had a rather checkered career—starting from an ordinary saw mill, and then passing into and through the hands of some American capitalists, and finally emerging from difficulty to fall into the lap of the present proprietors, Guy, Bevan & Co. This establishment is now in vigorous operation, and clustered near the works are a number of neat, white cottages, occupied by the workmen and their families. There is here the look of a veritable "hum." The factory is situated on the border of Henry's Lake, and is, or should be, a valuable feeder to the St. Martin's Branch Railway, which passes in close proximity. The establishment turns out ship's blocks, shells and sheaves, spools and bobbins, spruce and hardwood timber, including ship's plank, sheathing, deck plank, bullwark stock, beech treenails, matched flooring (birch or spruce), spruce clapboards, cloth boards, box shooks, mop and broom handles, etc. The management has sent to England for 30 additional men, and to the United States for 25 more, evidently having arrived at the determination to push the works with all possible vigor. In 1878 the factory was in course of reconstruction, some of the force being employed on construction work. The amount of actual



manufacturing in 1878 was limited, and cannot fairly be gauged by the number of hands employed.

John H. Taylor, merchant tailor, Carleton, makes the following explanation:—"I was running, in 1878, a ready-made clothing establishment, which makes the difference in the number of hands in favor of '78. I do as much custom-made work as ever—about the same as the past few years. I don't feel the pressure of the 'hard times' so-called, except that there is difficulty in collecting money."

W. J. Cornfield, bread and cake baker, says:—"More business was done in 1878 than this year owing to the large temporary addition to the population by reason of the big fire of 1877, on the east side of the harbor, which brought to Carleton a large body of sufferers and much of the building force attracted from abroad."

New Brunswick Red Granite Works, through their manager, Mr. Fred. Burpees, report as follows:—"Business rushing, so far. Have orders for fully six weeks ahead. Will probably not need to curtail till Christmas. Have manufactured more than last year, and sold at least 25 per cent. more."

McLauchlan & Wilson, timber pond operators, say:—"Business is about as usual in our line. We will handle about as much birch, and will have as much birch on hand as usual. The markets of the world are not promising. We have a saw mill near Anagance. There are twelve men employed at the mill now, and there will be engaged in logging and mill work in the winter some 30 to 40 men."

Daniel W. Clark, contractor and builder, supplies the following:—"In 1878 I had a number of contracts on hand; but although there is not so much work being done this year, the wages are higher on the average than in 1878. I am about starting the Salter Mill (shut down for about two years), for which I am now making preparations."

"There is much talk about the depression, but there are no idle men about. Every one that wants work seems to be able to get it, and at figures, too, which ought to be considered good."

Alfred Lordly (coffee and spice factory) says:—"With the increase of machinery, which has not necessarily required an increase of force in hands, my factory has increased business to the extent of at least \$2,000 last year. And with the addition of still further improved machinery—a granulated coffee mill for instance—I can still further add to the volume of business, and, of course, to my profit. Business is on the quiet side just now. Competition with Montreal is keen. The Montrealers sell an inferior article in spices, cream of tartar and coffees, and at a cheap rate. We have to keep up the standard. We are doing more business than in 1878, having a larger circle of customers."

James Cassely, rigger, says:—"Last year I did a larger business than ever before in any one year. This year's business is not quite so good, but it is a good ten years' average."

Mr. John Parks, of the Parks or New Brunswick Cotton Mills, speaks in this way of business and the mill's operations:—"Business this year is the worst I have seen in my experience, especially during the last three months. Up to that time I had a fair number of orders on the books. The first six months of 1883 indicated \$207,000; the first six months of 1884 \$109,000—quite an unfavorable contrast. The falling off may be attributed to lack of consumption; it is certainly not chargeable to the largeness of price, but is due rather to want of purchasing ability on the part of consumers. The depression, which is so generally felt in all kinds of business, and the poor crops in the west last year may fairly be saddled with the deficiency in purchasing power. The failure of the crops affected our cotton industry materially, because a large portion of our business is in Ontario and Quebec. As compared with last year, there was, as I have already illustrated, a material drop. The year 1878 was not a good year either in the matter of prices or business. We didn't have facilities for doing more than one-third of the business which the establishment is now capable of coping with."

"The establishment, as reorganized in company form, expects to get to work about the first of the ensuing month (September). Everything is moving favorably in that direction."

"The cotton business in some departments is overdone. In the Dominion there is not the same proportion of spindles, compared with population, as there is in the United States—indeed, there is not quite one-third. There are 450,000 in Canada and 14,000,000 in the United States. In the United States, as in the Dominion, there is quite a depression in the cotton manufacturing business. Indeed, the 'back pull' seems to come periodically.

"The National Policy has unquestionably increased business, but it has also increased competition. The mill at Courtenay Bay is not a competitor with our mill. The gray cotton business, in which that mill is engaged, is being greatly overdone."

Mr. Haines, of Boston, engaged in the selling of raw cotton to mills, being present at the interview with Mr. Parks, kindly gave his views briefly. He said:—"The bad crops for the past two years, and the large investments made by capitalists in western railways, are the chief causes of the present depressed condition of business and the instability in commercial circles. The cotton crop, especially, fell largely short in both past years, and, as this is an important item in the make-up of our industries, and as the shortness in crop tended to keep the price of the raw article high, it can readily be seen that manufacturers who kept the spindles moving were loading themselves for a depressed period. There are, I am glad to say, however, just now signs of recuperation. The present year's crops of wheat and corn promise an abundant yield. This is an important matter, especially when proper value is attached to the corn element, upon which, in our country, a good deal depends."

"The hay crop also, fortunately, is good with us this year. On the whole, I think we have good reason to look hopefully forward to the close of this year and to the succeeding years.

"The presidential election also somewhat unsettled business with us, and election year is generally regarded as an 'off-year.'"

Messrs. J. & A. McMillan employed, in 1878, 8 printers, \$9 per week; 1 boy, \$1.50; 4 binders, \$9.25; 4 females, \$2.50; and in 1884, 7 printers, \$9.65; 4 boys (printers), \$1.75; 8 binders, \$9.15; 3 boys (binders), \$3.33; 9 female binders, \$3.

James Masson, carriage factory, says:—"Business not so good as last year. The dullness in the lumber market affects business in this section in my line. The National Policy has helped our trade; in fact, if it were not for that policy our business would be more than crippled."

John Lourie, lime burner, says:—"I produce double the quantity of lime formerly made, owing to increased facilities."

John Johnston, painter, says:—"Business very good so far. There was a little slackness in August, but I expect to work up in the fall. I have been kept very busy for the past eighteen months. I don't think the National Policy has anything to do with the hard times. The lumber depression and the low figures ruling for freights has more to do with the depressed condition of trade than anything else."

Wm. E. Cowan, saw mill, says:—"I have given a tender to Ira Cornwall for floor blocks of seasoned pine. If I succeed in getting the contract, I expect to build up a good trade."

Wm. H. Murray, manager, Marble Cove saw mills, says:—"We saw a good deal for American market. But prices just now are ruling low. Prices are affected a good deal by strikes. The bricklayers' strike in New York, including some 300 men, is affecting building operations quite perceptibly. Recent advices show that this strike is likely to be succeeded by another of the plasterers, which is expected to cause still further embarrassment to building operations. We cater a good deal for the local trade, supplying dimension stuff for builders' use in framing and other work."

Philip Palmer, manager of the Mispeck Mills, supplies the following:—"From 1879 to 1883, inclusive, had about 68 hands. Of this number, 20 were men over 16 years—12 for cotton and 8 for woollen—average wages, \$3.50 per week. There were also employed 26 women—8 for cotton and 18 for woollen—averaging \$5 per week. Of boys there were 14—10 on cotton and 4 on woollen—averaging \$3.50 per week.



Of girls there were 8, all employed on cotton, averaging \$2.00 per week. The average hands during these four years was from 40 to 50. The National Policy gave an impetus to work in the Mispeck factory; and, indeed, but for the stimulus given by the Policy, the millgate would never again have been raised. The work to which the mill is devoted, is principally the manufacture of cotton warps. Woollen yarns are also manufactured. There are in the factory 1,200 spindles and 12 looms for making cotton and woollen cloth, though weaving, under the present management, has not been indulged in; operations have been confined to spinning cotton and woollen yarns. We have spent between \$5,000 and \$6,000 on machinery and improvements. The mill is driven by water, a turbine wheel being used. The dye-house connected with this factory, has facilities for dyeing yarns and any class of goods in first-class style. The dye-works branch of the factory is now in full operation, having all it can do. Business, owing to over-production everywhere, is somewhat depressed. As it does not pay just now to manufacture largely; spinning operations, in this factory, have been curtailed till the overstocked markets are relieved and stocks reduced. So soon as this period is reached, operations will be resumed. It is nonsense to say that without the National Policy factories such as ours could be continued in operation, or that the Policy is hurtful, in any sense, to the business."

Lee Brothers, brick and tile manufacturers, remark:—"At this time more machinery is employed than in 1878, and, therefore, fewer men are needed. With the old-fashioned facilities, it would require 100 men, instead of 22, to do our present complement of work. So much for progress and labor-saving machinery. Wood has doubled in price, owing to much of the wood formerly used here in brick-making finding a lucrative market in Rockland, Maine.

"The bricks made here are not sold wholly in St. John. During the last two years we have sent away 1,500,000 by rail and sailing vessel. All the pressed bricks used in Moncton, Chatham and Prince Edward Island are obtained from our works.

"The National Policy has unmistakably helped brickmaking."

The Courtenay Bay Pottery's manager submits this statement:—"The introduction of new and improved machinery has enabled us to do a much larger business than formerly. We make new wares, which are quite popular, such as Rockingham, yellow ware and barriole. The National Policy has afforded the opportunity to engage in the manufacture of these wares; formerly they were obtained from England at the risk of the purchasers. We deliver in any part of the Provinces with a guarantee against breakage. The National Policy has increased competition, but this was to be expected.

"The clay used in the manufacture of the Rockingham, yellow and barriole wares and pipes is imported. The clay for other descriptions of pottery is obtained here."

J. M. Johnson's wool pulling factory reports as follows:—"Our business is to prepare sheepskins, pull the wool from them, and make ready for tanning. The wool is now sold in the Dominion; the skins are shipped to the United States, where there is at present a brisk demand for them.

"The National Policy has helped our business. Without it we could not do the business profitably."

M. Flood & Sons, master builders, (masons) say:—"The high wages demanded this year has prevented considerable building operations. The erection of three houses, within our knowledge, has been abandoned because of the high wages ruling."

S. T. King & Sons, saw-mill, engage principally in the manufacture of lumber for the American market. The conveniences furnished to the workmen in their employ, in the form of dwellings and labor-saving conveniences, secure for it a preference among millmen.

Randolph & Baker, saw mill, report that:—"The manufacture of lumber this year is not profitable owing to the low prices ruling. But we find it preferable to saw and hold rather than to keep or sell the logs got out in the past season's operations."

Cowan, Gaskin & Co., saw mill, say:—"This mill was running only occasionally in 1878. Since it came into our hands several improvements have been introduced,

and it has been kept steadily running. We are sawing by the thousand for Alex. Gibson, Esq."

C. & E. Everett, hatters and furriers, remark in reference to their business as follows:—"Owing to the addition of labor-saving machinery we are doing more work in 1884 with the same number of hands than we did in 1878."

Chas. A. Everett, patentee and manufacturer of Everett's flexible wire-bound fence, responds to my enquiries in manner following:—

"St. JOHN, N.B., September 27th, 1884.

"E. WILLIS, Esq.,

"DEAR SIR,—In answer to your enquiry I beg to say that I commenced the manufacture of the Everett flexible wire-bound fencing, in July, 1883, manufacturing under a patent granted me in July, 1883, and another February, 1884, for fence-making machines. I made a few miles of fencing during the autumn of 1883. During the year 1884, up to the present time, I have made upwards of fifty miles of fencing, the larger portion being sold for railway enclosures. In the construction of the fence I have used upwards of fifty tons of softly annealed galvanized sheet wire, and over one million of pickets, cut for me in several mills, either in St. John or along the line of railway. I have employed since March 10 men here, to whom I pay wages amounting to about \$90 per week. I also employ, indirectly, foundrymen and machinists who prepare the castings, shaftings, etc., which I use in building my machines in my own workshops. I have some of those machines at work in the Provinces of Quebec, Ontario and Manitoba, besides those at work in my two workshops here, and one in Queen's county, of this Province. I am now building several machines with the intention of locating them in the coming spring in Prince Edward Island, Nova Scotia, and several parts of this Province. During this season I have either loaded or unloaded nearly eighty cars on the Intercolonial Railway, my workshops being on the line of railway. I am using about \$8,000 capital, but think that it will be necessary for me to increase that amount considerably next season.

"Yours truly,

"CHAS. A. EVERETT."

Poole & Foley, earthenware manufacturers, started their factory in October, 1880. They manufacture the same style of wares as are produced at White's Courtenay Bay Pottery, Rockingham, yellow-ware and barriole and pipes. They use a variety of labor-saving appliances, but as yet have not brought steam power into requisition. In 1878, the buildings on the grounds were used by Nelson & Evans in the manufacture of bricks.

Alexander Willis (Golden Grove Woollen Factory) manufactures woollen cloths, blankets, tweeds, homespuns, shirtings, etc. He says:—"In 1878 I was manufacturing wholly for the London house, St. John. Now, I am manufacturing on my own account, and am doing very well. At present my orders are considerably ahead of my work. For a time between 1878 and the present year operations were suspended in Golden Grove Mill, and I was engaged in a manufacturing concern in Nova Scotia. I employ water power wholly, using a turbine wheel in working my machinery. The National Policy has not injuriously affected my business."

#### FREDERICTON, YORK COUNTY.

J. C. Risteen & Co.'s sash, door and blind factory and planing mill is another of the many proofs that energy and perseverance, combined with skill in workmanship and good business capacity, can, when properly exerted in a fair field, attain a high degree of success. Starting some twelve years ago in Fredericton, in a small way, Mr. Risteen, by steady application, made good progress year by year, the character of his work and its moderate cost proving a ready passport to general esteem. The efficiency of the factory, enhanced year by year since its commencement, and especially during the past few years, is of such a character as to justify the remark that it is one whose equipment is without a peer in the Province. It is not so much the number of men in this establishment, and, indeed, in many others, that indicates the



extent of work done ; it is the number and the excellence of the labor-saving appliances which tell the tale. Risteen's factory has much to boast of in the way of machinery, and in opportunity for expansion there is no lack. There are several workshops on the premises—one 40 x 50 feet, one 76 x 56 feet, and one 26 x 36 feet (all two stories in height). Besides these, there are several lumber sheds and other needful buildings. The power by which the machinery is driven is centred in an engine of 30 horse capacity. In reference to the National Policy, Mr. Risteen remarked as follows:—"The National Policy directly affects my business only to a trifling extent, except so far as relates to St. Stephen. In my trade relations with that town it has been quite beneficial. The National Policy indirectly affects my business favorably, for in the increase of prosperity generally it cannot otherwise than be a considerable sharer. In the furniture branch of the business the benefits are, directly and otherwise, greater than in the other branches."

McFarlane, Thompson & Anderson's foundry started 13 years ago under the auspices of the present firm, since which time it has gone on from one degree of success to another, until now the number of its hands are more than doubled, and its machine and other facilities have been enlarged in like proportion. In the foundry department all kinds of stoves are manufactured, and in the machinery and agricultural implement departments good workmen under careful direction attend to the wants of customers. Mowing machines are a specialty, and in this line the works are credited with much excellence. Says the senior member of the firm in reference to the tariff:—"Don't know that the National Policy hurts us much in a general way. In one respect, however, it does operate to our prejudice. Our market to buy is in the United States. The tariff forces us to go to Ontario, where we obtain malleable castings, but at much larger first cost and much higher freight charge than formerly paid to foundries in the Republic. Then, again, in dealing with the States we have opportunity for exchange of products, such as lumber, etc.; in trading with Ontario there is no chance for this. Our steel cutters we get from St. Catharines, Ont., the only place which produces them in the Dominion, but at higher prices than formerly."

"The Londonderry Iron Works make very good iron, but at present there is little or nothing being done there. We find it better to import our pig and bar iron from the old country. Most of the iron we now use is Scotch pig."

Edgecombe & Sons, carriage and sleigh factory, has been running under the auspices of the present firm for 13 years, and for many years previously by the senior member. When the firm entered upon the work, the amount of machinery and extent of facilities was not great. During the 13 years that have elapsed, the machinery has been quadrupled and the facilities for doing work much enlarged. The firm's business manager complained of the success of smugglers in getting waggons across the line, and thought active efforts should be put forth to check the fraud. He then went on to say:—"The National Policy is all right in some things. The duty is, however, too high on spokes, which we can't get from any part of the Dominion as cheaply nor as good as from the States, prior to the advance. On light waggons the duty ought to be increased to 50 or 60 per cent., and I justify this on the ground that a high duty won't necessarily raise the cost of carriages. If the Government would reduce the duty on *partly-made* material, such as we cannot cheaply make here, the trade would be benefitted. We can do better in springs and axles than in the States. Leather, for trimmings, we have to import from the United States, as the home article—some formerly made at St. Mary's and some near Quebec—will not compare, either in quality or finish, with the American product. I am opposed to Free Trade, because I believe it would kill any industry in this young country."

Then, turning to the matter of freights, the manager remarked:—"Railway freights, in this Province, are very high. It cost more last winter to send a pung from Fredericton to Edmundston, than one would have to pay to get the same kind of article sent from Chicago to Fredericton."

Reed & Reed, broom, brush and feather duster factory, have been working hard to develop their trade, and claim that the increase of trade has been satisfactory. They add:—"The National Policy helps us, of course. It keeps out American goods of the same class, and that is quite an advantage."

Patrick McGinn, carriage manufacturer, is engaged principally in the production of carriages, farm waggons and express waggons. He drives his machinery by the aid of steam, and almost every year he makes an addition to the stock. In the new premises, to which he has recently removed, he has better facilities than formerly for doing good work. Mr. McGinn says:—"The National Policy is beneficial, and especially so to my business. I can't, for the life of me, see how it could be otherwise. My trade would be badly hurt if the United States factories could bring in their carriages."

Henry G. Blair's sash and door factory and planing mill, in operation some five or six years, have recently been removed to new and larger premises, which are supplied with a steam engine of 30-horse power and the usual appliances for a respectable fit out. Mr. Blair says that York, Sunbury, Carleton, King's and Queen's counties furnish him with an adequate market.

Robert Colwell, carriage and sleigh factory, whose operations extend over eight years, attributes the small reduction in his force to the fact that trade is cut up a good deal, and to the increased use of machinery all round.

Eben Miller & Co., carriage and sleigh factory, say that the tightness of the money market operates to the prejudice of rapid progress in their line, and that over-production intensifies the keenness of competition to an injurious extent as to price and also as to the period of credit to customers. But for the injurious credit system, the business, all other drawbacks considered, would not be so bad. Even with a lower duty, the Americans would find it difficult to compete with us, so keen is the competition among ourselves."

Cooper & Pinder, carriage manufacturers, claim that there is not enough difference between the duties on carriages and parts of carriages. They say that if the latter were admitted at 25 per cent. duty, and the former kept at 35, or increased, it would benefit the carriage business.

The Fredericton Leather Company manufacture various descriptions of leather, such as the patent enamelled, polished pebble, satin polish, harness, splits and calfskins. Their market is principally in England, though a good deal is disposed of in the Lower Provinces and especially in St. John. In this factory a 20-horse engine gives the requisite power, and furnishes the needful quantity of steam. The machinery is of the latest design, and the results are correspondingly satisfactory.

Stephen Whittaker's tannery, which was started in 1852, and is still continued, is employed altogether in the production of sole leather. St. John furnishes a market. The process of manufacture is entirely modern.

M. Brown and C. N. Clark, manufacturers of lumbermen's boots, both declare that business is good in their line, but that their chief difficulty is to get enough men, especially those of steady habits. Mr. Brown started business in 1879, and Mr. Clark in 1866.

Simmonds' leather factory commenced operations in 1873, and closed in 1878, the Fredericton Leather Company becoming the purchaser, securing in the arrangement the services of Mr. Simmonds as superintendent of their own works. The Fredericton Leather Company still owns the Simmonds property, and used it from the time of the purchase until 1881, employing three or four men, at an average wage of \$7 per week per man.

#### MARYSVILLE, YORK COUNTY.

The cotton mill is the crowning glory of Alexander Gibson's enterprising life. It is an immense and yet a symmetrical structure. No attempt has been made to adorn it with architectural embellishments, and yet it is not without a certain degree of real beauty. The location of the mill, on the eastern side of the river, midway between the river and a high bluff, on the crest of which Mr. Gibson has already erected



several brick houses for his work people, and intends to erect many more, is an admirable one. The plain on which it stands slopes gradually towards the river, giving good opportunity for drainage. The main building is 418 feet long, 100 feet wide and four stories high, and faces the river to the west. Near the northern end and extending back in an easterly direction, is a wing, intended for use as a picker house, 328 feet long, 98 feet wide and two stories high. Two smaller buildings occupy positions in the rear of the main building and attached thereto—one 85 x 40 feet and the other 55 x 40 feet—a belt-race forming the connecting link. A tower in the centre of the main building is 128 feet in height or 50 feet above the eaves. The chimney, which stands in the rear of the mill and directly opposite the tower, is circular in form, 20 feet in diameter at the base and tapering towards the top, and 155 feet in height.

In the work of construction it is apparent that due attention has been paid to economy, though not at the expense of thoroughness. The stone for the foundation walls was obtained from a quarry not far distant from the mill. Fine beds of clay and sand near the mill furnished the material for the 5,000,000 bricks which, it is said, have been laid away in the superstructure; and the bricks were made with the aid of five machines purchased by Mr. Gibson. The deals for the main flooring, the birch for the upper flooring and the pine boards for the ceilings, were all manufactured in Mr. Gibson's saw mill and planed in his planing mill. Apart from the posts and beams, which are Southern pine, the iron work, the cement, lime and machinery, all the materials which have entered into the construction of the mill, are home product. The labor, so much of it, of course, as necessitated specially skilled work, had to be procured from abroad.

The girders which cross the mill, 11 feet apart, are constructed of pitch pine, 12 x 16 inches. The flooring is composed of 3-inch spruce deals, and is spiked to the girders and covered with planed birch boards  $1\frac{1}{2}$  inches thick. The ceilings consist of tongued and grooved pine boards. Light is supplied by 518 mullion windows, each holding 36 panes of glass. The walls are whitened with a wash of lime and calcimine material, which helps to make lighter and still more cheerful a place already very pleasant. The building is heated throughout with steam, and the sprinklers or automatic fire extinguishers form a part of the provision for safety in every flat. The stairways and elevators at both ends of the main building are enclosed with brick walls, and the doors sheathed with tin, and in due time a proper system of fire escapes will also be provided.

Water is supplied to the mill and to the residences of the workpeople through pipes from a stream in the high ground a short distance from the mill, which has been dammed so as to give force enough to supply a tank in the tower which connects with the sprinkler.

The machinery of the mill will be driven by two engines of 650-horse power each, the maker being Harris, of Providence, R. I. The boilers, ten in number, were made in St. John, and have been in position some time.

Mr. Gibson, it is generally conceded, has the cheapest mill structure on the continent, and some go so far as to say the "best one" too. The mill, including the basement, which is as good as any other flat in the structure, has, in the opinion of those eminent architects, Messrs. Lockwood, Greene & Co.—the best authority on such matters in the United States—capacity for 60,000 spindles and some 1,100 or so looms. Mr. Gibson considers that the mill is capable of employing 1,300 persons. The mill will not, at the outset—it is the intention to make a start in January—be run at full capacity; only a fraction of its capacity will be brought into play, and some 200 persons will receive employment, at an average wage of about 80 cents per day.

At present only five of the workpeople's brick houses are completed; but in a short time the remainder of the 100 or more, which it is Mr. Gibson's intention to erect, will be completed. Instead of the large boarding house system for operatives, Mr. Gibson hopes to be able so to arrange matters as to have each family accommodate a certain number of the young people who will enter the employ, and thus inaugurate

a family boarding system which he hopes will, in every way, be superior to the general boarding house plan in vogue in other places.

The Miramichi Valley Railway passes along the western bank of the river, in full view of and but a short distance from the bridge which spans the river near the mill. This will bring the workpeople within easy reach of Fredericton, the political capital of New Brunswick, which is but a trifle over two miles distant, and will soon be in a position to be reached over a bridge spanning the St. John River.

The tabular statements attached will give some idea of the number of men engaged in the construction of this vast cotton mill, and still occupied in fitting it up for active operations.

The total cost of the mill structure, with its equipment, all ready for a start, will probably reach \$1,000,000.

The whole number of persons now at work in the mill, engaged in various capacities, may, at a low estimate, be figured at 116 persons, whose weekly wages will reach, at a moderate computation, \$1,238 per week.

During the entire period of construction it is estimated that there were 400 men engaged in various kinds of work. At the moderate average figure of \$9 per week, this would make the weekly wages of the whole force, for the period named, amount to no less than \$3,600.

Mr. Alex. Gibson's saw mill, another enterprise, and one scarcely secondary in importance to the cotton mill, when considered in all its branches, was the first to tax the energies of the proprietor, and still remains in active operation. In this mill 120 men have for long years received employment, and in the store half a dozen more are kept busy. In the stream driving operations for the supply of logs to this and other mills, 500 men are required to bend their energies, and in the procuring of logs 800 more are called upon to exercise their skill and strength. The weekly wages of this vast body of people employed for a large portion of the year, to say nothing of the considerable number who receive employment at the port of shipment, amounts to the large sum of \$11,286.

Mr. Gibson, during the interview I had with him, never once referred, either in terms of praise or words of blame, to the National Policy. He neither denounced nor endorsed it. He neither, by word or sign, indicated that it had either added a dollar to the cost of his lumber operations, or diminished by the value of a cent, the profit on his lumber sales. He did not deplore the fact of his large personal investment in a cotton factory, nor seem in any wise apprehensive of the success of his venture. He did not blame the National Policy for the world's over-production in almost every department of industry, nor rail at it because of any undue stimulus given to the cotton industry. In fact, he left the Policy severely alone. Silent on that subject, he was free in his expressions of hopefulness as to the country's future, even going to the length of pointing out how the Dominion and Jamaica would be mutually advantaged by a union, which would result in the free interchange of the products of the respective countries. Later, however, in reply to the pointed question, as to what he thought of the National Policy, and "whether, and in what respects, the National Policy bore hardly upon the industries in which he was engaged," I received the following comprehensive, and at the same time, suggestive reply:

"In reference to the National Policy, I may say that it is about time Canadians knew how to do something."

#### ST. MARY'S, YORK COUNTY.

The New Brunswick hames factory, an excellent industrial establishment, has made considerable progress since its start in 1878. Nearly two and a-half years ago it was rebuilt of brick, the main building, part of which is two stories high, covering an area of 50 x 100 feet. Not only are hames of first-class description constructed at this establishment, but horse hay-forks and peevies, in all of which a good trade is being worked up. The building is heated by steam, and the engine which supplies both power and heat is of 40 horse capacity. There are some seventeen machines in the works, all of which are quite modern, and are operated by steam power, and



on all of which, or nearly so, some one or other of the parts of the factory's product has to pass. With this concern the National Policy is, of course, in high feather, on the ground that it gives scope for an increase of trade and for a better development of resources than would be enjoyed without it.

Jeffrey's furniture factory, in operation four years, is fitted with modern appliances and steam power, and is making fair progress.

#### NASHWAAKSIS, YORK COUNTY.

McFarlane's carriage factory enjoys the advantage of good water power, and has machinery adapted to deal with every part of a carriage, from the spokes up. The concern has been running business for 25 years. At present trade is regarded as somewhat slack, and this slackness is attributed, in a small degree, to the general depression, which has cast a "wet blanket" over business generally. This factory finds a market altogether in New Brunswick, but particularly in the northern sections. The proprietor says:—"The National Policy rather helps the business."

#### GIBSON, YORK COUNTY.

The Gibson Leather Company, of Gibson, York county, erected their factory in 1877, and commenced work in 1878 with from 20 to 24 men. The company failed and suspended work in the spring of 1884. Expensive management is believed to have been a prominent cause of the collapse.

#### WOODSTOCK, CARLETON COUNTY.

The Woodstock Woodworking Company is an important corporation, and at the same time a thriving one. In the company's buildings and, by the way, they are quite extensive, there are now over thirty machines of the best and latest labor-saving styles, which are driven by a fine engine of 70-horse power. In 1877 and 1878 the business was conducted by Smith Bros., and from the latter year it was taken in charge by the Woodstock Woodworking Company. The establishment has at present facilities for manufacturing house furnishing material, sashes, doors, blinds, mouldings, brackets, &c. It also produces churns, 1,000 of which were made and sold this year, butter tubs and patent firewood. In every respect this is a live industry, and it bids fair to result in financial benefit to its promoters. It is needless to say that the National Policy has given a stimulus to this business, or that its manager looks upon the inauguration of the system with satisfaction. Starting as a company organization with the Policy, it has gone on prospering, each year making a better showing than its predecessor.

Connell Bros., iron foundry and machine works, rank among the foremost of the kind in the Maritime Provinces. They are certainly the best equipped, stand in the front rank for excellence of arrangement, and for tidiness are not surpassed by even Fawcett's model stove foundry. Castings of every description are supplied, although stoves form the principal feature in this branch. Besides stoves, these works supply rotary mills, grist mills, shingle machines, lath machines, horse rakes, tinware, millwork, machine work of every kind and, indeed, everything that a first-class machine shop, foundry and agricultural implement factory can prepare. The works cover a good deal of ground, and are admirably arranged, each department being made easy of access from the office of the manager. The machinery is driven by a fine engine of 40-horse power. Among the machines is one in the agricultural implement department for bending fellies for horse rakes, and six fine modern lathes and planing machines in the machinery department. The Messrs. Connell say they make 3,000 stoves a year, and sell them all at retail. They add some further information, which is here supplied in the words of the head of the firm:—"Business is fair, but it is difficult to gather in the money, and as a result manufacturers are compelled to 'carry' too much. The business of 1882 was the largest in our lines. Last year's business was not quite so good, and the losses were in excess of those of previous years. This year's business is quite as good as that of last year, but money is tighter. The country, however, is healthy.

"The tariff has this effect in our business: it requires more capital to keep an establishment running. The duty on pig iron strikes at foundries, inasmuch as it adds to the cost of the raw material, and the return from the manufactured stoves is not in any degree enhanced. And this, too, works to the manufacturer's prejudice, for the reason that when he makes losses, which all do, to a greater or lesser extent, he loses more under the new order of things than formerly. As one of several grievances, it might be urged that the duty on rake teeth should be increased."

Drysdale's sash, door and blind factory is doing a much more thriving business than the figures furnished would seem to indicate, especially when the use of modern machinery is taken into account, and when antagonism to the National Policy is only poorly concealed or clumsily disguised. The truth is, that Mr. Drysdale, though reluctant to make the admission, has, like others in his line, been helped by the National Policy, and the aid thus received, coupled with energy and perseverance, has placed his business on excellent footing, notwithstanding the loss of over \$10,000 by the total destruction of his premises by fire two years ago.

J. D. Dickenson's tannery was built in 1856, but only passed into the hands of its present proprietor in 1872, since which time it has been improved, enlarged (it now spreads over a large area) and made increasingly productive. The manager of the tannery, one of the proprietor's sons, says:—

"The operations of the tannery have increased, since 1878, one-third at least. There are various causes for this increase. There is the National Policy, the development of other trades, the enlargement of the country's business, and the further fact that we have established a boot and shoe factory in the heart of the town, which takes a goodly quantity of the tannery's product. Formerly we sold our leather in St. John, but now we go to Montreal, in which commercial centre we dispose of the larger proportion of the manufactured leather which we do not use in our own factory.

"We make in our factory heavy boots for lumber operators and fine custom work for ladies and gentlemen. This factory was started with the advent of the National Policy, and has developed since to a very satisfactory degree.

"The product of our tannery is sole and upper leather of three or four kinds, such as buff, grain, splits and harness, and also calf skins."

Jones' steam saw mill, in operation only one year, is having increased furnace accommodation provided, and appears to be in good hands.

Hugh Davis' saw and grist mills run side by side. The latter is devoted chiefly to the task of grinding for customers, very little on speculation passing through the "run." "The amount of business done at the grist mill has increased rather than diminished, but prices being low for the mill's product, my profit is correspondingly light, my pay being a reserve from the grinding. My business is affected to some extent by the practice of running the grain over to Holton, getting it ground there, and bringing it back without paying duty. If an estoppel were put upon this practice, in some way, it would help my trade. A little more stringency in this regard would be of service.

"In the saw mill I manufacture deals and shingles on speculation, and saw dimension lumber for custom work. Business in this line during three or four years prior to the present has been pretty good; but the depression, which is, of course, known to be general all over the commercial world, has had a damaging influence upon the lumber business."

Grant & Atherton's carriage factory is one of the industrial "hives" of Woodstock, and is under capital control. Carriages and sleighs of latest styles, pungs and sleds are made here. Modern machinery is used in the manufacturing, and a 20 horse engine supplies the power. The proprietors insist that business this year is better than it was three years ago, and very nearly as good, if not quite equal to, last year. They further say:—"The National Policy helps our industry. We believe in it thoroughly; it is simply fair trade. We would have no objections to meet the Americans any way in any fair field. If it had not been for the National Policy we could not, under existing circumstances, get along at all."



A. Henderson, furniture manufacturer at Upper Woodstock, whose warerooms are in the town centre, makes all kinds of furniture, the expensive as well as the cheaper kinds. The best machinery is used on the work, and the motive power is that potent article, steam. The following statement was obtained at the head quarters:—"This establishment has made considerable progress since 1878, when there was no machinery. During 1878 we commenced putting in machinery, and by the time 1879 was reached, our stock was quite respectable.

"The National Policy helps our business. It keeps out such articles as we manufacture, the smuggler's collection, of course, excepted. The principal smuggling place is near Centreville."

J. S. Marcy, furniture manufacturer, met with two serious checks in two years, having been burned out twice during that period. Undaunted, Mr. Marcy recommenced work, and now he is carrying on business in a new building. He declares that the National Policy is a great help to his business, and that, in fact, he couldn't get along without it.

Baker Bros., carriage manufacturers, say:—"The dullness of business this year, as compared with last, has made times a little hard. People's wants, however, have not abated to any extent. The low prices of the past season or so, received by farmers, has taken just the amount of the difference between the rates ruling and the pretty good prices of former years from the fields of investment. This causes a slackness in trade. However, business was good last year, and even this year business is better than it was in 1878. The increase in our factory force and the increase in machinery supports this statement. The prospect ahead seems still uncertain. With the revival of good times our business will take a leap forward. The Presidential election, which has had an injurious effect upon business in the States, has also done some damage here on the border; but, that over, business will 'boom,' and better prices will be realized and speedier sales made."

Cluff & Jacques, harness makers, claim that by the use of machinery they are enabled to compete for supremacy in King's, Queen's, Victoria and Carleton counties. They proudly point to the excellent character of their work, and they defy competitors to produce a better article at a cheaper figure.

John W. Garraty, furniture manufacturer, with a steam engine of 15 horse power, labor-saving machinery, and good materials, confines his operations largely to the preparation of chamber furniture and bedroom sets. He has already secured a good foothold for his products. He says:—"The National Policy helps my business in that it keeps out American goods. I supply Lamont, of Fredericton, who formerly made his purchases in the United States."

Fred Moore's saw mill stopped at the end of August, owing to a lack of logs, being under the necessity of allowing his logs to pass by in order to let the lumber of James Murchie, J. G. Leighton and Hall & Murchie through the booms. He will push on again as soon as he gets a supply of logs.

John McCormack's tannery was burnt down in 1877, but rebuilt on the old site. Mr. McCormack makes black leather and sole leather, chiefly the former. He says:—"A higher duty on French leather and an export duty on bark would benefit the trade. The Shaws' failure has contributed to the business depression in this quarter."

The hub factory, of which Mr. Donohoe is proprietor, has no rival in the Maritime Provinces, and is declared to be the only one in the Dominion that manufactures hubs from second growth elm—a wood that has no superior for the purpose, being tough and stringy. Carleton county, in New Brunswick, and Aroostook territory in the State of Maine, are said to be the only districts in which first-class elm, suitable for hubs, can be obtained. Mr. Donohoe has already secured quite a market in St. John, Amherst and St. Stephen, and expects to obtain a foothold in other carriage-producing districts, east and west.

Mr. Donohoe has just completed a round log panel machine, which is by all odds one of the most ingenious contrivances that can well be imagined. With this ma-

chine he can saw a log in the form of a scroll, almost any thickness. The merit of this invention is, that a large panel can be sawn from a small log without a break. For dashboards and backs for sleighs these panels are regarded as specially serviceable. Mr. Donohoe claims that this is the only machine of the kind in the Dominion, and the only one anywhere to be found in the United States, except in the State of Ohio; that the machine in his workshop, as perfected, is purely his own invention; and that the work turned out by it is calculated to be of great service to those who need wide panels for sleighs, or, indeed, any kind of work.

Mr. Donohoe has another ingenious arrangement for morticing hubs, by means of which he trebles the work done, with little or no increase of force. This machine is simply a re-arrangement of an ordinary hub and sash morticing machine, with some additions thereto.

All of the machinery in Mr. Donohoe's establishment is driven by a beautiful engine of 15 horse power, and steam is otherwise utilized for various purposes.

The enterprise of Mr. Donohoe (who, by the way, is a native of the neighboring Republic, and formerly resident in Maine), when generally known, will doubtless attain a widely extended popularity.

The Union Foundry Company was organized in 1882. Up to that date, and from 1832, the business was conducted by the firm of Small & Fisher. In 1882 the firm's interest in the foundry was merged into the company, whose lines of business embrace castings for stoves, ploughs, cultivators and general purposes. Since its organization the company has made good progress, and bids fair to be one of the most important industrial institutions of the town.

Small & Fisher, leaving their foundry interest with a well-organized company in 1882, turned their attention specially to the manufacture of threshing machines, farming machines of other kinds, machines for sawing firewood, and general mill and engine work. In these lines there is good reason for saying that they are making fair progress.

#### MONCTON, WESTMORELAND COUNTY.

Record Iron Manufacturing Company, engaged in the manufacture of stoves, ploughs, hollow-ware, mill machinery, tin and sheet iron ware, make the following representation:—"We find a market in the Maritime Provinces and Quebec. Business is excellent this year—better than ever before. We have five more men at work than last year, and have orders far ahead. Indeed, some \$2,000 worth of orders, which we can't fill, will have to be cancelled.

"The National Policy has, indirectly, greatly benefitted the company's business. It is difficult to tell how far it may have conferred a direct benefit.

"The coal trade in Cape Breton, through which much work has been turned to the establishment, has proved very beneficial to our company's interests."

Mr. Wier, machinist, who is engaged in all sorts of repairing and mill and machine work, says:—"Times were pretty hard during the summer and business slack, but latterly I have been rushed.

"The National Policy has helped me in certain lines of work. I am a strong believer in protection."

J. R. Foster's steam flour mill has the following report:—"Our sales of flour are rather dull. We do a good business in corn and mashed feed. The quantity of corn ground this year, up to a month ago, exceeds the grinding of the corresponding period last year. During the last month business was slack, but slackness is common to that month in every year. Harvesting has something to do with producing it.

"The National Policy is rather against the miller in the matter of wheat for grinding; but in corn, as there is little grown in the Dominion, the policy does not work so badly. The duty on corn, however, is not much benefit any way, and might be dispensed with to advantage."



Lee & Rogers, sash, door and blind factory and planing mill, submit the following:—"Our wages, of which I have already given you the average figure, range from \$1 to \$2 per day. Business has been very good this year, so far.

"The machinery in our factory is driven by a 30-horse power steam engine. In the winter season, in addition to our ordinary machinery, we run a rotary saw for dimension stuff. This winter we shall cut for ourselves half a million of lumber.

"The National Policy has been a benefit to our business, in that it has helped other trades, who become our customers."

The Moncton Agricultural Implement Company was organized in March, 1884, with a nominal capital of \$50,000, but with an actual capital of \$31,000, part of which was paid up in cash and part in notes. The want of sufficient working capital has embarrassed the company.

This is what the secretary-treasurer, Mr. Charters, says of it:—"The company just now, from want of working capital, being unable to dispose of the remaining \$19,000 of stock, is embarrassed and about winding up. With a proper amount of working capital it would be quite within bounds to say that the company could do a grand business. I base this opinion on the demand for agricultural implements, and for doors, sashes, mouldings and pumps throughout the country, in the manufacture of all of which the company is in a position to engage.

"The establishment is fitted with a fine collection of modern machinery, a well appointed building, and an engine of 25-horse power.

"The National Policy is beneficial to this business in every sense of the word. It prevents the American manufacturers from loading the country with their products.

"If this factory was as well equipped financially as it is otherwise, it could compete fairly well with even the Upper Province manufacturers."

•E. C. Cole, merchant tailor, says:—"The National Policy has proved beneficial to my trade. This year the volume of business is fully an average. It is quite as good as last year."

J. & S. Winter, stove makers and iron workers, say:—"The National Policy has benefitted our business in a good many lines. We believe in protection fully."

The cotton factory manager makes the following statement:—"We have sold all the cotton we have so far manufactured. The factory has been kept steadily running since the start. The end of August was the close of our year; and during that year we have managed to pay expenses and put a little to the gain side of our profit and loss account. Of course the hard times affects prices, diminishing profits. If times had been ordinarily fair we should have had a good dividend to give our stockholders. There is a better feeling in the market at this time (October); the price of raw cotton is declining, and the prospect is rather hopeful.

"The National Policy has not, in my opinion, had anything to do with the hard times. The causes which contributed to bring about hard times, prior to the adoption of the National Policy, are alone responsible for it now.

"We have 250 looms, and 234 are kept running. The output of the factory is about 10,000 yards of cotton a day.

"The cotton factory grounds cover an area of ten acres, and afford ample opportunity for extension of the works, and for the establishment of a bleachery, if sufficient encouragement offer. The machinery used is of the latest designs, and all of the best English make, part from the establishment of Howard & Bulloch, Ayrington, and part from that of Hetherington & Sons, Manchester. The engine, from which power is obtained for the factory, is from 400 to 500-horse power, and a first class machine withal. The factory is supplied with all the latest devices for the extinction of fire and the best possible steam-heating arrangements. The furnace is located in a building entirely distinct from the factory proper, and the railway track leads up to it, so that coal may be dumped into the coal storeroom with the least possible expense. The track also runs convenient to the building so that the manufactured cotton may be shipped conveniently and the raw cotton deposited with

small expense. The average pay of all hands, big and little, male and female, per day, is about 80 cents per head.

"The sugar refinery is a well ordered and thoroughly equipped establishment, to secure which considerable capital has been invested in buildings (the main structure is some nine stories high) and real estate. The management represent as follows:—

"Wages run from \$1 to \$5 per day.

"Business is depressed in the sugar line all over, and though the refinery has been working on a declining market since the start, it has been kept steadily running.

"The railway tariff rates operate prejudicially to the refinery, inasmuch as Moncton is not treated as a terminal point, as it should be. The rate on raw sugar from Halifax to Montreal is 17 cents; on refined from Halifax to Montreal 22 cents. The rate on refined from Moncton to Montreal is 20 cents. The rate on raw sugar from Halifax to Moncton being 5 cents, and the rate for refined from Moncton to Montreal 20 cents, makes the cost to the factory for all shipments to the latter city 25 cents, being at least 7 cents of a discrimination against the Moncton refinery, which, on the output, amounts to a very large sum—about \$70 per day. We hope to have this matter remedied, as we hope also to have an arrangement made for the allowance of a drawback on all shipments to foreign countries.

"This refinery is now turning out 325 brls. of sugar a day; it began with 13 brls. A coooperage is attached to the refinery for making barrels."

G. Crandall, confectioner, says:—"I find a market in this Province and in Nova Scotia. Business is very good this year; better than last year."

O'Neill & Crue (boot and shoe factory) speak in the following manner:—"We manufacture larrigans, boots and shoes, and leather. Business has been very good this year. We are doing more work than last year. Money is a little tight.

"The National Policy don't injure, but rather helps our trade. The Upper Province folk interfere very little with our trade. We supply a good article, and our customers know that they can place implicit reliance upon our goods, which is a strong point in our favor."

Joseph Howard (soap factory, in which steam is employed in manufacturing), remarks as follows:—"Business fair this year—about as good as last year. There is a good demand for the products of the factory at the present time.

"The National Policy affects our industry favorably. It helps to exclude United States goods. We are able to hold our own against Upper Province manufacturers. This factory was destroyed by fire on the 21st July last, but a new building was erected soon after. The business of the factory has progressed gradually but steadily since the first start. Markets for the product of the factory are found in the Lower Provinces, and especially in that section of Nova Scotia known as Cape Breton."

Torrie's soap factory proprietor supplies the following information:—"Two kinds of soap are made in this factory—extra pale yellow and white soap. Markets for these soaps are obtained principally in New Brunswick, and also to some extent in Nova Scotia.

"Notwithstanding the National Policy imposes a duty of 1 cent per pound on foreign soaps, the Americans still manage to introduce their soaps to the provincial markets. The Americans furnish light weight—12 ounces to the pound, instead of 16 ounces—which the provincial manufacturers supply. Buyers don't pay enough heed to this defect, at least they don't seem to remember the great difference in weight."

John H. Marks, carriage factory, supplies the following:—"This factory, which was burnt down last spring, is now getting fully under way. The factory operations are carried on in two buildings—one 72x52 and the other 52x32. The machinery is driven by a 9-horse power engine. When thoroughly equipped, will use circular saws, band saws and other necessary machinery.

"Business has been pretty good this year, although our business, being somewhat upset by the recent fire, cannot fairly be considered a criterion of what it would have been if operations had not been disturbed. Formerly the factory covered as



much ground as now, but the new buildings are more commodious and convenient for work.

"The National Policy helps our business to a certain extent, although the duty on hickory spokes is still maintained. But I am now getting hickory spokes—American wood—from Upper Canada, where they get the raw wood, duty free, and convert into spokes, having ample facilities for the work.

"The National Policy keeps out the cheap American manufacturers. I don't import one-tenth the articles I did five or six years ago.

"The prospect ahead for business is pretty good."

James Flannigan, tailor, says:—"I can't estimate capital, because mixed up with other business."

The knitting factory manager reports:—"We are doing a good business—find sale for all we can make. There is a difficulty in getting the right kind of labor. We could do a much larger trade if proper labor could be readily obtained. We are making a better class of stock than is made by any other factory in the Dominion—principally fine goods. We couldn't fill all our orders last year, and this year our orders are still ahead. We have just got a silver medal and three first prizes from the exhibition at Montreal. We got a silver medal from the Centennial Exhibition at St. John last year.

"We think we ought to be freed from the duty on yarn—two-ply wool. The yarn for commerce is three-ply, which can't be made here, as Cheviot wool is the article used. On the two-ply wool there is a duty of  $7\frac{1}{2}$  cents per pound, and 20 per cent. *ad valorem*. The  $7\frac{1}{2}$  cents should, at least, be taken off, and to insure honest dealing in the matter, a declaration that the article is only to be used in manufacturing could be insisted on.

"When in full operation, 40 hands are kept at work.

"The stock is \$35,000, but all of this has not been taken up, and only 80 per cent. of the subscribed stock has so far been paid up."

Humphrey & Snow, woollen factory, about a mile out of town, report as follows:—"This factory was started in 1882, and for a time was employed in carding cloth and custom work. Recently, machinery for general manufacturing purposes has been added, including six looms, six carding machines, two spinning machines, one twister, one picker, one pulling mill, one napper and one washing machine. A dye house has also been provided.

"At present the machinery is run by water power, but there is being put in place, in a brick engine house constructed for the purpose, thoroughly fire-proof, an engine of 50-horse power—a Wheelock engine—by Goldie & McCulloch, of Galt, Ont. This engine is claimed to be one of the finest in the Provinces. There are ample facilities for increasing steam power and engine capacity.

"The National Policy has certainly been beneficial to the business. Without it this factory would scarcely have expanded so soon."

John Humphrey, proprietor of the saw and grist mills located in near proximity to Humphrey & Snow's woollen factory, and on the same stream—Hall's Creek—says:—"My saw mill has been in operation for a long period of years, and has from time to time been improved. The machinery is driven by water power.

"My grist mill has also been a long time in operation, and, like the saw mill, has undergone improvement from time to time. There are now four run of stones in this mill, with all the modern appliances for grinding wheat and buckwheat. Water power is employed."

Peters Bros., sash and door factory and planing mill, submits the following:—"This factory is engaged in supplying sash and door work, and in general planing, and also in work for building operations, in which we engage extensively, and in the preparation of lumber for sale. It is not easy to get accurate data as to factory output, as all the business is run into one channel.

"Business is lively, and we have all we can attend to.

"The National Policy helps our business very much."

Peters' combination lock factory is at present in liquidation. It was started under somewhat unfavorable circumstances, having only a small working capital, carrying over a lot of made-up stock from the Waterbury concern, mortgaging the real estate at an exorbitant rate of interest, endeavoring to do a business beyond the command of the means in hand with borrowed money, failing to properly place the unsold stock, allowing to be represented at exorbitant figures as stock patent rights which were only of moderate value, and paying dividends on stock, including what might be considered watered stock, out of capital instead of from actual net earnings. Under judicious management this concern ought, in time, to be worked at a profit. Outside of lock manufacturing, the establishment is equipped to make a variety of useful shelf hardware, which would compare favorably with the imported article, and which could be sold at prices that should ensure success in competition. At present the liquidators are working up with a small force the stock on hand, and at the same time seeking a purchaser for the establishment. Bad management and imprudent stock manipulating is really the cause of this establishment's regretful end.

### SACKVILLE, WESTMORELAND COUNTY.

The Sackville Stove Foundry, of which Mr. Charles Fawcett is the proprietor, is without question a stove establishment in which there is more order, more system, better arrangement and less waste than any concern of the kind yet visited. There is a place for everything, and everything seems to be in its place. The workshops, &c., extend over considerable ground. The warehouse covers a space 100 feet square, the fitting shop is 60 x 40 feet, the old foundry building 60 x 40 feet, the mill room 60 x 40 feet, the moulding shop 150 x 60 feet, the pattern shop 20 x 30 feet, and the blacksmith shop 20 x 30 feet. Then there is an office and show room, and, for the homes of his workmen, the proprietor has in a row, not far from the foundry, some 22 tenement cottages for his employees. Mr. Fawcett's principal business man was pleased to furnish the following information :—

"Since 1878 our business has developed very much. The National Policy affects it favorably. Formerly we had the competition of American stove manufacturers to contend against; now, we are relieved from it. We have, of course, the Upper Canadians as competitors; but, with abundant capital, a cash business, a good line of stoves and guaranteed work, Mr. Fawcett is able to clean them out, or, at least, to hold them more than 'at bay.' The National Policy has proved advantageous indirectly, because it has relieved the Upper Canadians and the far western markets of the American article and forced Upper Canadians to cater for those markets and to pay less attention to the Provinces 'down by the sea.' Then, in the general impetus that it has given to other kinds of business, the National Policy has been an indirect benefit to our industry.

"Previous to 1878, we were compelled to cut wages down 33½ per cent., and had it not been for the National Policy we would have been forced to continue such reduction ever since. Some of our men, who work by the piece, now earn \$25 per week, and several make \$12 per week.

"Since 1878 our warehouse capacity has been doubled; a new fitting shop has been constructed, the moulding shop has been enlarged and a new boiler has been laid in a fireproof chamber, and this year improvements have been made in various respects in the establishment, at a cost of \$2,000."

Besides successfully conducting a large manufacturing business, Mr. Fawcett is extensively engaged in stock raising and in the thorough cultivation of a large farm.

Abner Smith's shoe factory and tannery, an old-time institution of Sackville, is still carried on with much vigor, and with the best appliances obtainable. It has been progressing yearly, gaining sure strength as it advanced. In 1878 employment was given to 18 men and 4 females; now 25 men and 5 females are kept at work. The product of the establishment is sold principally in Westmoreland and in the northern sections of the Province. The proprietor says :—"Trade is pretty good. I could sell double the quantity of boots and shoes we now make; but in the unsettled



condition of trade generally and the uncertainty as to business stability, I exercise a prudent discretion in the selection of customers."

Ayer's tannery and larrigan factory is now running in full blast. The product of the concern embraces tanned leather, larrigans, moccasins, harness, boots and shoes, lacing leather, and leather wallets. The latter is a new article in Mr. Ayer's trade, and meets with quite a ready sale. The moccasins are sold principally to dealers in Ontario. For the other manufactures, the Maritime Provinces furnish good markets. Mr. Ayer speaks encouragingly of the trade prospect ahead. He says that orders are flowing in freely and that returns are for the most part satisfactory.

Mr. Ayer's establishment is quite an extensive one, and is located in what is termed Upper Sackville—that is, it is about 3 miles from the post office.

E. Cogswell & Co.'s colonial foundry succeeded a company in 1876, since which time it has been kept running by the present firm on stoves. The foundry is located near the railway station, and is a very conveniently arranged institution. The proprietors are engaged just now in introducing a new style of cooking stove—"Charter Oak"—for which a patent has been secured. The new article is taking well, and the prospect is that it will become decidedly popular. The patent covers a peculiar adjustment of flues, an arrangement for securing more even temperature in the oven, economy in the consumption of fuel and great heating capacity, and a second or perforated tin door for the oven, for the better to secure fresh air in the process of baking. The general business of the year, so far as contrasted with the 2 previous years, does not bear favorable comparison; but the outlook is regarded by Messrs. Cogswell & Co. as by no means discouraging.

#### SUSSEX, KING'S COUNTY.

Oliver Haley's carriage factory is conducted on a small scale, but gives evidence of capacity to do good work. The proprietor's complaint is not that work is scarce, but that hands—good workmen—were difficult to be secured. He had plenty of work, and would hire more hands if he could get them.

The Studholm and Sussex cheese factory started some 14 years ago, is still moving along successfully, and turns out annually about \$6,000 worth of cheese. R. E. McLeod is the manager.

Hagerty's grist, carding and saw mills, in Sussex parish, on Mill Brook, a branch of Trout Brook, about 3 miles from Sussex station, are quite an institution. In the grist department 2 run of stones is kept in operation; in the saw mill a rotary saw performs good work, and in the carding department there is the usual machinery for carding all the wool which customers are disposed to supply. The manager is happy in his possessions, happy over the work of his hands, and happy at the results. Leaving this mill the visitor steps into that wonder of wonders—

Davis, Hayden & Davis' woodware factory. Crossing the threshold, one gazes in astonishment at the sight. Machines of all kinds occupy places in the first apartment. Here a machine for making druggists' ointment boxes, there another for running off miniature rolling pins for use as needle holders. Here a machine turning out paint brush handles, there another preparing bobbins for cotton spinners. Here a machine producing quassia cups—a peculiar kind of West India wood, which, when moistened a few seconds with water will produce the most agreeable or disagreeable bitterness; there another turning out wooden cigars, hollow in the centre for holding confections. Here a machine producing wooden vinegar measures, there another supplying pulleys for venetian blinds. Here a machine furnishing whip handles, there another making log reels for gauging the speed of vessels. The sight is, indeed, amusing, bewildering! Passing into another room, the same thing is observable. Here there are machines for producing newel posts, door knobs, birch saw frames and other articles suitable for housework. And then in still another apartment there is an ingenious self-feeding lathe contrivance for making broom handles, and two other funny looking wooden cylinders for giving them a smooth surface, a machine for making funnels, and machines for producing belaying pins and handles for all kinds of agricultural and mechanical implements.

That there is such an establishment in such a quiet nook, so near Sussex, is not generally known in the Province, and, perhaps, not to many in Sussex itself. The machinery is wonderful, and to make the matter more remarkable, the ingenious operators make their own "dies," do their own forging by the aid of a patent charcoal forge, their own lumber sawing, except in the matter of billets for broom-handles and everything else necessary to give effect to their work. Simms, of St. John, has discovered the merit of their broom-handles, and the druggists, hardware merchants, and others of St. John, Montreal and some parts of the States, are learning their whereabouts and the merit of their products.

Iron-turning as well as wood-turning is also done at this establishment, which, by the way, was only started a year ago.

The power used in driving the machinery is obtained partly from the water-wheel in Mr. Hagerty's grist mill, and partly from a 25 horse power engine. Messrs. Davis, Hayden & Davis modestly estimate the value of their machinery at from \$4,000 to \$5,000.

This is the only factory of the kind in the Province.

Ross & McPherson's furniture factory, started eight years ago, is in process of enlargement. Modern machinery is employed, every kind of furniture is made, and a ready sale is found for all produced. Steam supplies power to the machinery.

P. Pittfield's sash factory was started seven years ago. The proprietor considers that business is now better by far than it was in 1878—that it has increased largely, and that it is still progressing. Modern machinery is used, and steam is employed to drive it.

White, Upham & White's tannery, started eleven years ago, is now in successful operation. Live men are its managers, and the practical director of the work gives evidence that he understands his business. The buildings are large and very complete in form and arrangement. The department system, so strikingly apparent in Mr. Fawcett's Sackville foundry, is here brought into play, and gives the very best results. Sole and upper leather is the product of the tannery, and the apparatus used in their preparation is thoroughly modern. An engine of 20 horse power supplies the necessary steam for all purposes. The Maritime Provinces and Montreal supply a market for all the leather turned out.

White, McRobbie & Clark's boot and shoe factory, which was started some eleven years ago under a company organization, and continued in business with varying success for some years, first under the company and then in the hands of Mr. Geo. H. White, became two years ago the property of the present firm. The condition of things is pronounced quite satisfactory. Work is being carried on briskly, business is increasing, and general satisfaction is expressed by customers whose trade is worth securing and retaining. The manager says:

"The tariff interferes with the trade to the extent that it imposes duty on English fine leathers, serges, threads, inks and dressings, awls and needles. These pay 25 per cent.; they are not made in the Dominion, nor does it seem likely that they will be. Machinery is also dutiable, bearing 25 per cent. When used for manufacturing it should be admitted free."

The machinery in this factory is the best of its kind, and the motive power is steam.

The Sussex butter factory has only been a short time in operation, and, therefore, it is difficult to form an opinion as to the results. Besides, at the time visited, the buttery was not in operation, the manager being absent for a few days. With care and good management there is every reason to believe it will prove a success.

#### ST. STEPHEN AND MILLTOWN,

Broad & Sons, axe and tool factory, report that their present facilities are superior to those of 1884, the machinery being of modern design, the water-power greater and the buildings better adapted to the work. Axes and all kinds of edge tools are made at this establishment. The proprietor says:—"We find a market in the Maritime Provinces. We send some of our product to the United States, and as far



off as the Pacific coast. The trade in handle tools, such as hatchets, hunter's axes, chisels, etc., has developed very much. The duty on steel used in the manufacture of edge tools and hammers is too high. The quality requisite for the work is not made in the Dominion. Borax and emery are the only articles used in our business which come in free. The duty on hard coal is rather against us. In the matter of cementation steel, which we principally use, there is not enough used in the manufacturing to justify the erection of works unless the patronage of all the Dominion consumers were extended to it. We use from \$3,000 to \$4,000 worth of steel every year. We find the Londonderry iron excellent for such of the manufactures as iron forms a part. We have facilities for doing work to an extent five times in excess of our present output. We use a Hercules turbine wheel made by the Holyoke Company, of Worcester. Porter's mill stream supplies the water power."

Vroom Bros., furniture manufacturers, commenced work in 1878, starting in October of that year. Wages in this establishment range from \$15 to \$6. The output of 1883 was about \$1,000 better than 1884, the slight drop in the latter year being due to the depression in business generally. The proprietors say:—"The National Policy has helped our business, in that it has checked the purchasing of articles in Calais, and enabled us to engage in the manufacture of articles that we never before produced. We employ a gas engine as motive power, and use labor-saving machinery in our work.

Ganong Bros. have been encouraged with a remarkable flow of success. In 1878 their establishment was burned down, and they lost everything. Undaunted, they again started up, with little capital but with a splendid credit, and engaged in the work of manufacturing. They pushed business vigorously and met with much encouragement. Their premises on Water street are quite spacious, the power which drives their machinery is a seven horse engine, and their principal markets are in New Brunswick, Nova Scotia and Prince Edward Island; but lately they have even ventured into Ontario, in which Province they are now doing what the senior member of the firm described in his own earnest way as a "nice trade." Messrs. Ganong Bros. say:—"The National Policy has put a final stop to the importation of all American goods. There was partial protection under the old tariff for our business, but the National Policy has put matters just right. The cocoa and chocolate used in manufacturing, we can buy cheaper in Halifax than in any other quarter, and superior in quality. The sugars used in our factory are all of Dominion manufacture."

C. B. Eaton & Co., larrigan manufacturers and tanners, intend during 1885 to enlarge business by engaging in the manufacture and sale of harness leather. Their business man remarked that the tariff did not work injuriously to the tanning and larrigan trade.

The St. Croix Cotton Mill, located at St. Stephen on the bank of the St. Croix River at Milltown, is a fine structure. The main building is 417 feet 4 inches in length, and 98 feet 8 inches in height, and has four stories with basement. The Picker building is 117 x 103, two stories in height. There is also a stretch of buildings on the eastern side 450 feet in length. Water power, furnished by the St. Croix, drives the machinery. The machinery in use is modern in design and style. The employees have been able to make full time since the mill started, except during last winter when the hours of labor were reduced. The mill, which, by the way, has a capacity for 40,000 spindles, is at present engaged in the manufacture of shirtings, denims, ticks, broad unbleached shirtings, cottonades, awning ducks, etc. The work of dyeing the fabrics produced is executed on the mill premises. The manager of the works, without reference to the Treasurer of the company in Providence, R.I., did not feel justified in giving particulars as to the class of labor employed, nor as to the relative wages paid to the respective classes. The monthly or weekly payment to the entire labor staff was all that could be obtained. So also with reference to the output. Beyond saying that 120,000 lbs. of cotton were manufactured every month, the manager was disposed to be politely silent.

B. R. DeWolfe, carriage factory, employed from 1872 to 1876 some 13 hands; from 1876 to 1878 the number fell off to 4; since 1878, the force has increased to the

old figure, or nearly so. The National Policy was, of course, favoured by him, though he thought there should be a corrective of some kind to overcome valuation devices in the matter of imported material.

Almon's marble and granite works is moving along as happily as its good-natured proprietor can make it move. Business has increased considerably in his respective lines. He was warm in his friendship for the National Policy as a whole. If any changes were made he would prefer a reduction of duty on Italian marble.

Clerke's confectionery reports an advance upon the output of each year. The business has expanded to an extent double that of four years ago. The volume of trade in 1884 is about the same as that of 1883.

## THE PROVINCE OF NOVA SCOTIA.

### HALIFAX AND DARTMOUTH.

Doull & Miller, extensive wholesale dry goods merchants, carry on a large business in the manufacture of clothing. This trade is at present affected, like a good many others the world over, by over-production, and by business being pushed beyond its natural limits. Among other cogent reasons advanced for the business prostration, Messrs. Doull & Miller advance the stoppage of the North-West trade, which ceased at the time the business "boom" collapsed in the North-West, two or three years ago. Up to that time no inconsiderable trade had been done with the North-West at fair prices. But the sudden check, which reckless land speculation gave to the business "boom," coupled with the tendency to over-production elsewhere, denuded the trade with the West of its importance, and caused a curtailment of manufacturing operations. Still, notwithstanding, Messrs. Doull & Miller give employment to 22 men, and 128 females, in the manufacture of clothing, at the present time; and for the twelve years that they have been conducting this industry, they have given employment to a greater or lesser number.

The Halifax broom factory turn out about 6,000 dozen brooms annually, finding a market therefor in Nova Scotia, West Indies, Newfoundland, and even in that great centre of population and business, London, Eng. In the latter city, however, the business has not been as lucrative as the conductors of the enterprise could wish, owing to the fact that the agents charged to the concern the expenses of a full business. But, even with this drawback, the venture in London did not result in loss, although the profit was not enough to encourage, for the present, a continuance of the business. Still, the promoters of this broom enterprise do not despair of getting a good foothold in the English market. They intend to make another trial, and anticipate better results from their next venture, the experience of the first having taught them a wholesome lesson. The managers of this company say:—"We could not manufacture brooms in this Province, were it not for the National Policy. Without it our Province would be made a slaughter market for the United States manufacturers. The duty of 50 cents a dozen on brooms, keeps our American competitors at bay, and enables us to do a successful trade."

The Acadia steam biscuit factory and confectionery proprietor says:—"In 1878 this establishment only manufactured confectionery; in 1882 the biscuit business was added. We find openings for business in New Brunswick, Prince Edward Island and Nova Scotia. The Upper Canadians are our most troublesome competitors. They 'slaughter' their goods in our territory, supplying customers at figures below their home prices, and selling also to retail dealers in a way that interferes with the wholesale dealer. We would have no difficulty in successfully competing, if the Western Provinces' men would only sell at western home prices. Time will, in all probability, cure this evil."

The Howard Manufacturing Company is engaged in the manufacture of oiled clothing, largely in use by fishermen, seamen and others. They give employment to a good many persons, and seemingly do a very profitable trade. The company's principal field is Nova Scotia. The manager responded to enquiries in the following



manner:—"The National Policy is beneficial to the business, and it would be more so if our own factory work, in the line which we use, were fully up to the standard. We use cotton from abroad, because we can get it finer in quality than the cotton made here. Our home article is too 'burry.' We would have no hesitation in using the home-made product if it were made fine enough."

The Nova Scotia Cotton Company's factory occupies a commanding position in the upper or northern limit of the city, with ample surrounding space and the advantage of railway connection for the reception and shipment of freight, etc. The factory is a large and well appointed building, having all the outfit necessary to do a stirring business, and to guard against damage by fire, injury to the workpeople, etc. The engine room is a model in its way—large, clean, tidy; everything seemed to be in "apple-pie" order, and an almost perfect calm prevailed, the movements of the ponderous engine being comparatively noiseless. The engine is from the works of Harris Corliss, Providence, R. I., and has a capacity of 450 horse power. The looms in this factory number 350, with the requisite spinning and other preparatory machinery to supply them, but only 210 are kept employed. Some 280 hands are engaged in and about the works. The description of goods manufactured is the ordinary grey cotton, and the factory was, late in October, so the manager declared, selling all the goods manufactured. The manager remarked as follows:—"All over the Dominion, from London eastward, we find a market for our cottons. At present, however, business is not so much of a paying one as we could wish. In times such as we have been passing through, it is considered satisfactory if operations can be carried on without loss. As to the prospect ahead, it is difficult to form any very reliable opinion. Stoppage for a time of some of the factories, or the partial running of the whole, both of which plans would curtail production, would be a benefit to the trade. There has been over-production all over, and this has been brought about by rivalries and by the introduction of a description of machinery capable of giving a much larger output than that formerly in use. It is true that more extended markets might, with a little effort, be secured. With proper lines of steam communication, India and China might easily be reached. In both countries there is opportunity for a profitable trade. We have engaged, to some extent, in the manufacture of print cloth, the print work being done for us at Magog.

"The National Policy has, of course, helped to establish and enlarge the operations of the cotton industry; but it is not responsible for the excess in their number. The shortsightedness of keen business men should not be made a charge against the policy."

John Patterson, boilermaker, had some big jobs under way at the time visited, the boiler for the steamer "Newfield" included.

John Thompson, an energetic Haligonian, engaged in running a small foundry, remarked that he had all the work his little establishment was capable of doing; that he kept his staff of workmen right along, and that he was a firm believer in the National Policy.

Macdonald & Co., extensive brass founders, steam and hot water engineers, plumbers, coppersmiths, gas fitters and hoopers, were indisposed to furnish information of any kind. This concern was started in 1865.

The Halifax laundry, a very well managed concern, will this year do about \$1,000 worth more business than last year when it reached \$8,500.

Clayton & Sons, extensive manufacturers of clothing, remarked that the progress of their business was best indicated by the increase in the number of their employees from 77 in 1878 to 179 in 1884, and by the increase of machinery. All of the sewing machines in use in the establishment are driven by steam power. The proprietors remarked as follows:—"Business was much the same as last year; perhaps rather better, though it is a little more difficult to gather in the earnings. Anyway, business is a good deal better than in 1878.

"The National Policy is a benefit to our business. The work is done in the country, which was the case previously only to a very limited extent. Prior to the adoption of the National Policy nearly everything was imported from England.



Upper Canadian competition is quite keen, but we manage to make headway against it. Our market is in Nova Scotia, New Brunswick and Prince Edward Island, principally in the first named."

A. A. Bliss & Co., boot and shoe manufacturers, carry on a factory for the purpose mainly of supplying the wants of four stores, three of which are in the city and one in Dartmouth. Their factory business is quite considerable, and the work turned out superior. This establishment was started in 1833. There has been some slight change in the proprietorship by death, but its efficiency is still up to the standard. The principal member of the firm remarked:—"The National Policy is a decided help to us. There are a few articles which enter into the manufacture of boots and shoes, which should come in free, such as eyelets, eyelet hooks, heel plates, and some other findings."

Moir, Son & Co., biscuit and bread bakery and confectionery, have one of the largest establishments in the Dominion. The leading proprietor carried on a small soft bread bakery prior to starting a section of the present premises, over twenty-one years ago. The wonderful expansion of his business is a remarkable evidence of pluck, perseverance and energy. So extensive are his bread-baking operations in Halifax that it is considered that the stoppage of his works for even one or two days would be a serious inconvenience, if not a calamity. The aim of the proprietors has been, and, it may be said, still is, to make their own flour and boxes as well as their own bread and biscuit, and they have succeeded to a limited extent. Their flour mill property, which cost \$100,000, is located at Bedford. Here also there is a box-making factory, in which half a dozen men are kept constantly employed. In the flour mill, which has not been running since spring, owing to the absence of a supply of wheat, some twenty hands are employed. The duty on wheat is regarded by the senior proprietor as an impediment to the flour mill's successful working.

The bakery and confectionery works front on three streets of the city—80 feet on Argyle Street, 130 feet on Duke Street, and 160 feet on Grafton Street, and are four or five stories in height. The buildings are constructed of brick in the most substantial manner. The salesrooms and business offices are on the corner of Argyle and Duke Streets, in the first and second stories. The bread delivery rooms are on the ground floor, Duke Street, whereat the twenty or so breadcarts, kept constantly in motion, receive their supplies. Steam is employed to further the work of drying, baking, hoisting, candy-making, boiling, drawing ovens, heating the building, etc. For all these services an engine of 50 horse power is kept steadily in motion. The senior proprietor was pleased to say in response to enquiries:—"Our field of operations lies in Nova Scotia, New Brunswick, P. E. Island, Newfoundland, and to some extent in the West Indies. If Jamaica gets 'hitched on' to the Dominion our business will thereby be greatly assisted.

"In the bakery we make all sorts of soft bread and biscuit and cake of every description. In the confectionery all varieties of candies are turned out.

"The National Policy affects us beneficially in the candy line, but otherwise, in some respects at least, in other lines. For instance, the duty on coal is against us; only a day or two ago we paid \$100 on a cargo of hard coal, of which, by the way, we use a considerable quantity. There are other articles also which occupy a place objectionable to us on the dutiable tariff list. But one can't expect everything in his own favor. Other industries than ours must share in the benefit derivable from the protective system which the National Policy supplies."

R. Taylor, of the Halifax Boot and Shoe Factory, carries on extensive works and manages with skill and prudence a very large business. His works are located on the continuation of Brunswick Street (formerly Barrack Street), and his warerooms, etc., are on Hollis Street. He has been in business fourteen years and has made considerable progress during that period, adding from time to time to his outfit machines of the latest and most improved designs. The proprietor, judging from the tenor of his remarks, is not an ardent Unionist nor yet an admirer of the National Policy. He says:—"Business is dull. Confederation is one cause of this dullness, and the National Policy is another. The duties on certain articles used in manufac-



turing boots and shoes, such as serge, elastic, and findings in general, is objectionable. These articles are not made in the Dominion, nor even in the United States, except, perhaps, in the case of a few articles. There is not sufficient encouragement to warrant any one engaging in their manufacture. We get our supplies from England. Serge was duty free before the National Policy came into force."

Jack & Bell, engaged in the preparation of some fertilizer in a factory on Byers' Road, in which they employ steam, machinery and manual labor, preferred to have their operations remain undescribed.

The Nova Scotia sugar refinery is an extensive establishment in the north end of the city, near Richmond, which gives employment to a goodly number of people, and turns out a very large amount of the sweetening product. This concern was entrusted, at the outset, to not over-prudent management, and did not prove a bonanza to the stockholders; but, just now, it is, and for some time past it has been, under careful control, as the results show. The annual product is reckoned at about 150,000 barrels, the value of which, at the present time, might be put down at \$2,100,000. In this refinery there is all the apparatus needed in a first-class establishment.

Longard Bros., steam and hot-water heaters, machinists, and stove fitters, remark that they have plenty of work, and could do more if their facilities were extended. They make this reference to the tariff:—"The duties on articles used in our business, which we obtain from the United States, are too high. So far, we have not been able to obtain in the Dominion satisfactory articles for fittings, either in copper, brass or iron."

The Starr Manufacturing Company, of which Mr. John I. Wylds is manager, conducts a large and diversified industry, one of the most important and, perhaps, one of the most successful in Nova Scotia. The company manufacture, at their spacious works at Dartmouth, skates, nails, ship and railway spikes, bolts and nuts, all kinds of dies for carving work, bridge work of every kind, vault doors, shovels of all descriptions, and even to electroplating and galvanized work. The company's output in 1883 was \$160,000; in 1878 it was \$100,000, being a pretty clear evidence of the progress of the works. This company was incorporated in 1868, and has made steady advances since, but especially since 1878. Its capital, paid up, amounts to \$200,000.

The Acadia Powder Company, incorporated in 1869, and acting under this charter and amendments thereto, in 1869 and 1880, has its works located at Windsor Junction, 15 miles from Halifax, and its office at 70 Bedford Row, Halifax. The company is engaged in producing powder for blasting and sporting purposes, the explosive force and the finish of which is claimed to be very superior. The company's capital is represented as \$100,000, but of the actual amount paid up and of the annual output, I was unable to get any reliable data, the president of the company not being at hand on the occasion of my visits.

Brown & Webb's spice factory, though in operation some 17 years, only had grinding apparatus added in 1878. As the firm do a general wholesale job and drug business it is difficult to tell the output of the factory, as it is mixed up in the general business, of which the factory is only a small branch. The firm's field of operations is the Maritime Provinces and Newfoundland, and the development of its trade is regarded as due to the general efforts to push it.

Three Mile House tannery is a large establishment, fitted with steam and all the modern appliances for doing a large business. There is in the splendid site and excellent water privileges and appurtenances opportunity for very large development. Vessels can lie at the wharves within the tannery's limits, and the Intercolonial Railway enters the yard. At present this tannery turns out sole leather altogether. The manager of the concern thus delivered himself:—"The National Policy is a helper to the business to some extent, as it contributes to give us the field in this Province as against United States competition."

J. P. Mott & Co. carry on a large spice factory and lime and soap works in Dartmouth, but the leading proprietor was decidedly reticent, considering that

neither the country nor any one or more individuals in it had any right to a knowledge of his business. That the works were started some 37 years ago is all the knowledge that could be gathered from a direct interview with Mr. Mott.

Gordon & Keith's-furniture factory is the successor of a cabinet-making business conducted prior to 1860, by Thompson & Esson, in the old-fashioned style. The new proprietors, in a little while, revolutionized the business. They secured spacious ware rooms and established a factory, into which they introduced the latest machinery. Their enterprise and pluck received fitting reward in an enlarged and lucrative business, the principal market being Nova Scotia. Mr. Keith, of this firm, was pleased to remark as follows:—"The National Policy operates badly in our business. It imposes duties on many things used in the manufacture of our goods, such as upholstery goods, hair-cloth, curled hair, covering materials of all kinds, British mirror plates, castors and furniture hardware generally. With respect to hair cloth and curled hair, it is a well known fact that they are not, and as respects the latter, cannot be supplied in the Dominion. The same may be said of the mirror plates. Then, as to the castors, it is a fact that they can be purchased in the United States and laid down in Halifax, duty paid, at a lower figure than that at which Smart, of Brockville, who has undertaken their manufacture, can supply them. Then, as to the other articles of furniture hardware, so long as they are not made in the Dominion, they should at least come in free, or under a modified rate. In fact, if our tariff rates on the articles named were reduced, we could secure an entrance into the Newfoundland market. The Americans can now undersell us in our own market in the matter of hair mattresses.

"We don't want so much as 35 per cent. on furniture; a lesser duty would sufficiently protect us. We do want, however, the modifications and changes suggested in the tariff on the articles we use."

Schwartz & Son, spice and coffee factory, complain that the Government don't put enough duty on American coffee, and that the adulteration analysis is not fair and does not favorably affect the price.

The Acadia knitting factory, of which W. C. Archibald & Co. are the proprietors, finds a market in the Upper Provinces as well as in the Maritime Provinces. Trade is pushed, and in this way it is claimed a market has been secured for a respectable quantity of goods. The manager of the factory says:—"The National Policy helps our business. The benefit is considerable, though the line of goods manufactured is not specially favored. Cashmere wools and silk thread used in manufacturing fine hosiery, which are not made in the Dominion, are subject to a heavy duty. Under the circumstances, these articles should be relieved or the rate reduced."

The "Mayflower" Tobacco Factory has just completed a new brick building in the northern section of the city, three stories in height, in lieu of the old building burned down on the 27th April last. This building is considerably larger than the former one, and contains a 20 horse-power engine, pot presses, shape presses, box presses, and all the other appliances for making plug tobacco. The establishment, in operation, will furnish employment to 65 hands, and expects to be fully at work a month or so before the present year closes. Representations relative to this industry have already been laid before the proper authority at Ottawa.

Sarre Tobacco Manufacturing Company is another healthy looking tobacco establishment. It is located near the modest "Mayflower," and has for its manager an experienced workman, and one of the most affable of men. This concern, though more compact than its neighbor in the new rig, is equipped with steam, and all the presses and other gear necessary to turn out first-class plug and twist tobacco. The output is estimated at 9,000 lbs. a year, and a larger quantity could be made if trade would justify the effort. A market for the factory's product, is obtained in Nova Scotia.

DeWolfe's carriage and spoke factory is an immense concern. The business is conducted in four large buildings—ware room, 90x30 feet, 3 stories; workshops—one 60 x 30 feet, 3 stories, one 50 x 25 feet, 2 stories, and one 80 x 40 feet, 2 stories of



brick. Mr. DeWolfe makes carriages and sleighs. He also engages in the manufacture of spokes—a new enterprise—not only from the native oak but from hickory obtained from the best selected billets purchased in North Carolina, which comes here duty free. Mr. DeWolfe states that carriage builders are, and still can be supplied with these hickory spokes, thoroughly seasoned and beautifully finished, at a less rate than they can be supplied by United States manufacturers. He claims, moreover, that he gets the “virgin hickory,” samples of which were shown; while the Americans always cull the best spokes for home use. Taking Mr. DeWolfe’s statement and the evidence of one’s own eyes, as testimony sufficient, then the complaint of carriage builders in some other sections of the Maritime Provinces, that hickory spokes of good quality are not obtainable in the Dominion, falls to the ground. Mr. DeWolfe’s factory is within easy reach of any of our Lower Province carriage builders, and the quality will be guaranteed by the supplier as first-class.

The machines, some 20 or more, in Mr. DeWolfe’s establishment, are driven by an engine of 20 horse-power. All styles of carriages are manufactured—the heavier English and the lighter and more stylish American makes.

Mr. DeWolfe declares, without hesitation, that the National Policy is helpful to his industry.

The Atlantic Sugar House Company’s works, located on the west side of the North West Arm, is under the direction of Hon. A. G. Jones. This refinery is not so large as either of the other refineries; but it is compactly arranged, and it is in every respect well equipped. It has the advantage of an inexhaustible water supply, which furnishes all the power requisite for driving the machinery. It has been in operation about one year, and has presented a very respectable output—50,000 brls., the value of which would be nearly three quarters of a million dollars. If good management avail anything in the conduct of a sugar refinery, the Atlantic Sugar House Company’s Works will prove eminently successful.

C. E. Tyler & Son’s Brush Factory, another of the industrial institutions of Halifax, flourished for a time, but owing to careless management and the fact that the concern’s treasury had been taxed to keep up other than the factory’s legitimate outlay, the business came to grief, breathing its last only in October of the present year.

The Imperial Paint Company is a small concern, whose chief merit lies in the fact that it has some capital and that its promoter has discovered a very simple method of compounding paint materials, by means of which he succeeds in making a paint that is both fire and waterproof. The company is doing a fair business, and hopes to largely extend its operations.

Breweries.—There are several breweries within the limits of Halifax and Dartmouth, the firms controlling them being named respectively, Alex. Keith & Son, Oland, Sons & Co., P. & J. O. Mullin (known as Foyle’s), and the Jones Brewing Company. Each of these concerns does a large business. All of them manufacture ale and porter. The firm of A. Keith & Son, of which Mr. Donald Keith is now the surviving partner, sold the entire product of their brewery last year, realizing some \$51,880 therefor, and they say that they could have sold more if it had been made up. The bottling facilities of this firm are quite modern. The other breweries also do a large trade.

James Dempster & Co., who conducted a factory business in the north end—planing mill and sash factory—until its destruction by fire on 29th May, 1882, are now located in very commodious premises, with lumber wharf attached, in the south end, a little south of the gas works. In the fire of 1882 the proprietors lost everything; but, with the pluck frequently found in men of their class, they got a factory rigged and in motion in a very short time. They are now working into a fine business, having more work on hand than they can possibly complete by the end of the year. The machinery in their factory is modern in style, and the driving power is supplied by an engine of 45 horse capacity.

The Halifax Sugar Refinery is an institution established at Woodside, on the Dartmouth side of the harbor, by English capital, at the instigation of an enthusiastic

English sugar scientist, controlled by English capital, managed by an English sugar expert, worked by English operatives, and the product is open to be consumed by English tea-drinkers and other lovers of sweetening crystals. The building stands near the bank of the harbor on a part of 80 acres of land which the company own, and half of which they have enclosed. The main building is constructed of brick, 7 stories in height, the adjoining buildings being also of brick, and but 4 stories. The store is three stories, and covers an area of 300 x 250 feet, said to be the largest of the kind in the Dominion. On the company's grounds are some fifteen neat dwellings, capable of accommodating 60 laborers. The works are supplied with water from the hill to the west of the refinery, and also from Maynard's Lake. The yearly output of this refinery is estimated at 600 tons, and the probable value at the period of visit, \$3,600,000. The establishment was started on the 1st September last.

E. L. Fenerty's establishment is not now, though it soon will be, in motion. It was formerly, and until March last, run as a skate factory; but that industry has given place to shovel and axle manufacturing. This winter, certainly before the close of the year, Mr. Fenerty expected to be in condition to turn out shovels in first-class style and carriage axles of the best patterns. His factory, which by the way is located at the head of Chocolate Lake, about a mile from Hosterman's, and not easily found by the stranger, is of fair size, has a very good water power privilege, and is capable of supplying work for 25 hands.

The Dartmouth ropewalk works is one of the most extensive company industries in or near the capital of Nova Scotia. The manager is Wm. Stairs, Esq., M.P. for Halifax, who is familiar with every detail of the industry. The company is engaged in the manufacture of cordage, oakum and binder twine. The establishment is the largest of the kind in the Maritime Provinces, the main buildings and a large section of the "walk" being constructed of brick. The task of erecting buildings was entered upon in 1868, and the work was completed in time for a start in January, 1869. The paid-up capital of the company is \$350,000, and the output last year was \$305,000. In 1878 the output was only \$123,000, showing, as compared with the present time, a very large increase. Since 1878 there has been a steady increase in the annual output. There was an increase last year in the cordage trade of 70 per cent. and in the oakum trade of about 40 per cent. The binder trade is a new branch, and bids fair to assume large proportions. The manager says that prices are not larger this year than formerly, but that the cost of raw material is lower. He had no hesitation in declaring that if the country went back to Cartwright's tariff the works would be compelled to shut down.

James Rone, manufacturer of ginger ale and ginger beer, started business in 1879, and has continued it in successful operation ever since, increasing his output at least 25 per cent. His market is not confined to Halifax, but extends to different sections of the Province, and to Prince Edward Island and New Brunswick. He consumes, in the manufacture of his different preparations, about 100 barrels of granulated sugar a year. His factory is located south of what is generally known as Fresh Water Bridge.

Ald. McDougall conducts an extensive ginger ale and ginger beer establishment on Queen Street, and makes a respectable showing in the yearly output.

Mr. Nash has also a factory of the same kind as Ald. McDougall, on Brunswick Street.

Dartmouth also boasts of its ginger ale and ginger beer industry, and though its proprietor was not available on the occasion of my visit, the indications pointed to a considerable output.

S. M. Brookfield, the heavy contractor and builder, has an extensive wood-working factory, near Fresh Water Bridge, and a spacious office on Grenville Street. His operations give employment to a large body of men, whose wages range from \$3 to \$1.25 per day, the average being about \$9 per week, and keeps in motion a large amount of first-class machinery, the moving power being a large steam engine of approved make. The work executed by Mr. Brookfield amounts to about \$150,000 a



year, and the capital invested in his factory work alone reaches something like \$25,000.

Philip W. Leverman, pianoforte builder, rejoices in the fact that he makes a superior instrument, and can readily find a market for all his little force can get in shape every year.

Williams & Leverman, engaged in piano making and furniture turning and sawing, complain that the prostration of business has affected trade considerably.

F. Mumford & Son, Dartmouth, engaged in the manufacture of ships' knees and in general forging. They complain that ships' knees are allowed to come into the Dominion duty free, and that the duty on coal has increased the cost of that article from \$1.85 to \$2.25 at the mines, and, per consequence, advanced the cost of knee manufacturing. Messrs. Mumford & Son have a commodious establishment, the heavy hammers and other appliances in which are driven by steam.

The marine railway is another of the institutions of Dartmouth. At the time of my visit there were on the blocks two barges, one steam lighter, and two schooners, receiving repairs. One of the barges was receiving a new bow and other repairs, and would be on the blocks two months; the other was getting caulked for reclassing, and would require at least a week to complete. One of the schooners was getting in new plank and being caulked all over and coppered, and requires at least one week to complete; the other schooner was receiving a new keel, the work on which would take a week to finish. The lighter was receiving a new propeller.

Mr. David Macpherson had charge of the work on the barques, and Mr. George Young figured in the same capacity on the schooners.

The various operations on the several craft gave employment to 70 men, who receive from \$2.50 to \$2.70 per day. Estimating that the work at this new railway would need the services of only 30 men all the year round, the annual outlay at \$2.50 per day, would be \$22,500.

Enfield pottery and brickyard are located in Hants county, with head office at Halifax. This concern runs four months at brick making, giving employment to 30 men. The pottery, not working at present, gives employment to five men constantly; it will resume work in two weeks. The pottery turns out drain pipes, chimney crocks, and all kinds of pottery used for buildings; also jars, teapots, and every description of household earthenware.

John Hunter, brass founder, complains that trade is a little flat; but he attributes the slackness to the fact that there is more manufacturing going on throughout the Province in his line than formerly.

### TRURO, COLCHESTER COUNTY.

D. Linton's carriage and sleigh factory claims to have made considerable progress since 1878. In proof, the proprietor points to the increase of his force, the enlargement of his premises, and to the fact that he has now in the course of construction a building 30 x 40 ft., 1½ story high, for stock.

The Truro Condensed Milk and Canning Company has the only factory of the kind in the Dominion, and in this cheese as well as condensed milk is prepared. Some 15 tons of cheese are prepared, and about 4,323 cases of condensed milk are put up annually. Each of these milk cases contains four dozen cans, weighing 1 lb. each. The buildings of this company are commodious, clean, and in every respect well adapted for an enterprise such as that in which they are engaged. The main building is 80 x 40 feet, two stories and a half in height, and contains all the necessary appliances, which are somewhat peculiar, though of the most modern construction, and which, by the way, are not made in the Dominion and were dutiable to the extent of some \$800, which the manager thought the Government should refund in their case.

This company finds a market chiefly in the Dominion, but it has also made some shipments to England.

The Truro furniture factory is engaged in the manufacture of sashes, doors, mouldings, and cheap walnut and pine furniture. The chief markets for the output of this factory are located in Colchester, Hants and Kings counties.

Clish, Crow & Co.'s foundry, a large establishment, was in active operation with considerable work of various kinds on hand.

Truro hat factory is a very creditable institution, the more so because its promoters, Messrs. Craig & Webster, have succeeded by their own exertions and energy, despite numerous obstacles, in working it up to its present satisfactory position. The factory was started in 1876. In 1878 the amount of capital invested did not exceed \$7,000, and though fire interfered with the concern's progress, advancement was made, new buildings replaced those destroyed and new machinery was introduced. The amount of capital now invested in the business is \$22,000 and the annual output is reckoned at \$55,000. The description of hats manufactured is hard and soft wool, and hard fur hats; and in their production some very ingenious machinery, driven by steam, is employed. A ready sale is found for the product of this factory in Montreal and Quebec, which cities furnish the largest customers. Halifax and St. John also patronize the factory to some extent, and with some disabilities in the matter of freight charges, &c., removed, will doubtless find it more to their advantage to do so in future on a very extended scale. The proprietors say:—"We are much encouraged by the result of our operations. We sell considerable quantities of our hats in Nova Scotia, competing successfully with the foreign article and with Upper Canadians, who also manufacture.

"Without the National Policy we couldn't run our business at all, simply because the Americans would slaughter their goods in our territory. The National Policy saves us from being crushed out. But good though the National Policy is, it is not without its defects. A duty is still levied on the ribbon used for hat bands, which of course operates against us. If this ribbon were made in the Dominion we would not complain, but it is not, nor is it likely to be. Then, again, English hats coming in with ribbon attached, pay 25 per cent., while the ribbon in roll has to pay 30 per cent. The duty should, in our opinion, be all round 20 per cent., which would be 5 per cent. of an advantage. Our freights in the Maritime Provinces, over the railway, are regarded as double first-class. Single first-class pays 36 cents per 100 lbs.; double first-class pays 72 cents per 100 lbs. This operates against us, and should be reduced. We have no complaint to make about freights in the Upper Provinces, for in that direction satisfactory arrangements have been made. Anent this matter of freight charges in the Maritime Provinces, Messrs. C. & E. Everett, of St. John, N.B., have informed us that a case of goods of the same dimensions as ours cost no more from New York, including ferriage across the harbor, than our case cost from Truro. These, and the other disabilities to which we have referred, will, we trust, be remedied very soon.

"One fact we deem it important to mention, viz., that in 1878 the hands employed in our factory were run on half time. This year the number is about double that of the year 1878, and there is full time all round."

The knitting factory, conducted by Mr. Charles Pennfield, is quite a creditable institution, giving employment to a goodly number of persons, and likely to enlarge its force with the departure of the depression cloud. Montreal is the principal market into which the product of this factory finds its way, despite the freight classing which Mr. Pennfield regards as altogether too high. He says it costs  $\frac{3}{4}$  of a cent per lb. for freight and delivery to dealers in Montreal, and that it should be changed from first-class to second-class and made  $\frac{1}{2}$  a cent. The condensed milk factory gets a freight rate of 26 cents per 100 lbs., and he thinks similar liberality should be extended to an industry of a no less praiseworthy kind. Mr. Pennfield also complains that coal freights are a little high.

This factory makes the yarns, all wool, and performs the operation of knitting as well. Both treadle and power machines are used for knitting.

Robert Hopper & Son's last and bobbin factory is another of Truro's praiseworthy industries. It began in a small way, and has gradually advanced. Quite



lately the bobbin business was added, and a few sample lots have been distributed. The proprietors consider that the National Policy will greatly help the bobbin trade; in fact, without it they would not have felt encouraged to make it a branch of their industry.

J. Lewis & Sons, last and peg makers, whose factory is one of the institutions of Truro's town, started business on a very moderate scale, rising gradually to a position of considerable importance. In the early history of this factory \$3,000 would cover the value of the lasts turned off in a year. Fifteen years ago the proprietors added machinery and apartments for making shoe pegs, and five years ago machinery for making ribbon pegs and shoe shanks was also included. The senior member of the firm, an earnest worker and enthusiast in his business, says:—"We have made considerable progress since 1878. The National Policy helps us; but we ought to have 35 per cent. duty, which, by the way, is the United States duty on the articles we manufacture. Our duty is only 25 per cent., and this, with the questionable valuations, enables the American dealer to still get into our market. If we had the same duty (35 per cent.) as prevails in the United States, we could supply our Republican friends, instead of affording them an easy opportunity of competing with us in our territory. The value of the pegs imported from the States into Montreal last fall amounted to something like \$30,000, as, perhaps, the agents of American manufacturers might be disposed to declare. This could not have been done if the duty rate had been what I claim it should be, and if the regulations as to valuations were made more restrictive.

"We make, in the establishment, lasts, shoe pegs, compressed pegwood and clothespins. Of the latter we have made no less than 5,000 boxes this year, and of compressed pegwood no less than 32,000 rolls have been run off during the last three months. In our manufactory 200 cords of white birch were used last year. The Dominion furnishes markets for the factory's products."

The Gates organ and piano company was started in October, 1881, and appears to be getting along satisfactorily. The company's instruments are claimed to be fine in tone and otherwise excellent, and in proof of their popularity the enquirer is pointed to their ready sale and the good words said of them by purchasers after fair trial. The manager says:—"The principal markets for our instruments are found in Nova Scotia, but sales have been made in New Brunswick and the West Indies as well.

"I cannot understand how manufacturers in any line could live in this Dominion without a protective policy of some kind, as against our American neighbors. But in reference to our own special line, I am quite sure that without the National Policy it would be no use trying to fight through to a successful end."

T. G. McMullen, milling industry, runs three saw mills and one grist mill. The latter and one of the saw mills are located in Truro, the others are situated respectively at Salmon River and Debert. In the grist mill, started in 1881, there are facilities for grinding all kinds of wheat and corn and every other description of grain. In the lumber mills, two of which were started since 1878, attention is directed to the sawing of all descriptions of lumber, but especially of deals.

The Union woollen mills at Brookside,  $1\frac{1}{2}$  miles from Truro, perform their factory work with the aid of steam and water power, and at their show rooms in Truro can be seen, at any time, goods of fine make and superior quality. The capacity of the mills, which were enlarged three years ago, is sufficient to admit of 250 yards being turned off. At present markets have not been secured for so large an output, and so the management is conducting business on a moderate scale.

#### NEW GLASGOW, PICTOU COUNTY.

J. C. McGregor's tannery is located on the side of the river opposite the town of New Glasgow proper. It is quite a large establishment, and is engaged altogether in the manufacture of sole leather, by the usual sweat and lime process. The Maritime Provinces and Montreal furnish markets for this concern's product. The proprietors

rejoiced in the fact that he was running a much heavier operation than he did six years ago.

Cumming Bros.' furniture factory, a short distance from McGregor's tannery, claim to have manufactured 20 per cent. more annually since the advent of the National Policy than previously. They use modern machinery and a 30 horse engine to supply power, and make every description of furniture.

S. Mathewson started his foundry in 1868, but did not add thereto the boiler branch till 1879-80. Of course this addition to the business increased the quantity of work and also enlarged the working staff. In the absence of the proprietor no data could be obtained as to the capital invested, nor as to the annual output; but it was not difficult to discern that there was considerable capital invested in the works, and that the annual output was that of a first-class business.

The Nova Scotia glass works is a healthy concern. The management bears evidence of prudence and care inside the works, and of energy and spirit outside. The glass house proper is 90 feet square. There are two warehouses adjoining—one 210 x 40 feet, and the other 160 x 40 feet. Besides these there are needful sheds and a fire-proof boiler house. A 13-foot furnace stands in the centre of the glass house, and this is surrounded with the usual apparatus in "such cases made and provided." At this establishment, the only glass works now in operation in the Maritime Provinces, and the only one in the Dominion whose product includes the same variety, are made plain and ornamental lamp chimneys, lamps, tableware, such as goblets, tumblers, bowls, dishes, &c. The number of hands employed is quite large, and in busy seasons the weekly wages often run up to \$1,000 and \$1,200, which does not include office expenses nor expenses of management; and the same may be said with regard to the average given in the tabular statement. The factory's market is our widely extended Dominion. The manager remarked:—"The National Policy has, of course, helped this industry; but competition is keen with the glass factories of Montreal and Hamilton. We are able to compete successfully, because of the possession of facilities which our rivals do not command, and cheap coal. But freights are against us. We don't get as good rates as we should receive, nor as good as we understand other works obtain. The railway authorities are very exacting as to weight. No allowance is made for packages under weight, but for overweight a very hard rule is made applicable. We would not object to a *pro rata* scale. Our outward freight amounts to from \$600 to \$800 a month. The inward freight, which includes coal, is quite considerable."

The Nova Scotia Steel Company's works—the only one in the Dominion—is a magnificent establishment, gives steady work to a large staff of skilled workmen, employs a large amount of capital and supplies in return a handsome annual output. It was commenced in July, 1883, but really did not get fairly started till the first of this year. The capital (all paid up) amounts to \$160,000, but this being deemed insufficient for extended operations, the company purpose applying to Parliament for authority to increase the capital stock to \$250,000. The company make steel for agricultural purposes, steel rails, spring steel and round machinery steel. The annual output is estimated at 6,000 tons, which would give a value of something like \$300,000.

The works cover two acres of ground. The main building is 330 feet long by 130 feet in width. There is also another large building, besides warehouse and office premises. The machinery is as unique in appearance as it is powerful, and is driven by an enormous engine of 1,200 horse power. The manager of the establishment remarked:—"The National Policy stimulated the establishment of these works. Without it the company would be compelled to close the works, which now give employment to 100 men (not including the management staff), the weekly wages of whom, at a low average, exceeds \$750."

The Nova Scotia Forge Company manufacture railway axles, steam marine forgings, crank-shafts, &c., but principally the first named. The works are located near the Steel Works Company's premises. The machinery is the best of its kind, and the driving power is adequate for large operations. A large number of men are em-



ployed, and the weekly pay roll reaches a considerable sum. The manager declared that:—"The National Policy helps work in the forge very much. Railway work, formerly given to the Buffalo operators, is now done here. The amount of capital invested is \$50,000, and the annual output is now about 2,000 tons, the value of which will probably amount to \$130,000."

Donald Grant's sash and blind factory has made considerable progress since 1878, new machinery having been added every year. The machinery is driven by an engine of 25 horse power. The proprietor said:—"The National Policy has greatly benefitted our business. Without it we would have to shut down."

#### AMHERST, CUMBERLAND COUNTY.

Holmes & Hicks' carriage factory has encountered severe trials since its establishment, seventeen years ago. It was burnt down on the 27th October, 1878, the loss being a heavy one—about \$8,000. There was only \$1,500 insurance. On the 17th November of last year it was partially burned a second time, the loss embracing a number of useful and valuable articles, besides four horses, barns, hay, &c. Even this second disaster did not dampen the ardor of the proprietors. They at once set about repairing the premises, and pushed their business with redoubled vigor. Their efforts are meeting with a fitting reward. The proprietors say:—"The National Policy is beneficial to our interests. Business has increased yearly, since 1878, with greater rapidity than formerly, and there is now some difficulty in supplying the demand. In trucks alone, this year, there were applications for 100; we were only able to make 45.

The Amherst Boot and Shoe Manufacturing Company was started seventeen years ago, under the name of "The Amherst Boot and Shoe Company," the manager being Mr. E. S. Crofts. Seven years later it was amalgamated with the business of the Amherst Steam Tanning Company, and of Messrs. Pride & Quigley, boot and shoe dealers, and styled "The Amherst Boot and Shoe and Tanning Company." Under this reorganization, Mr. M. D. Pride became manager, and the business was continued under the new auspices for some two years. The company met with a reverse by the destruction of the tannery on the night of the 20th October, 1877, which, being uninsured, entailed a loss of over \$12,000. A further loss was sustained shortly after by the removal of the manufactured stock to avoid threatened destruction by fire. In 1878 the company parted with the tannery branch of the industry, Mr. Casey becoming the purchaser, and continued vigorously the manufacture of boots and shoes. Business, notwithstanding losses by fire and the depressed condition of trade, continued to increase, rewarding the company's careful management with such success as to justify them, in 1879, in erecting a large three-story building for factory purposes, in addition to the premises then occupied for salesrooms and factory. That there has been something genuine in the company's progress will be best understood by the yearly increase in the volume of business since 1878. In 1879 the sales summed up \$65,000; in 1880, \$79,000; in 1881, \$94,000; in 1882, \$119,000; in 1883, \$140,000; and for the twelve months ending early this year, \$170,000. The business of the year now entered upon will, it is confidently expected, judging by the progress so far made, reach \$200,000. The company keeps in constant employ a large staff of operatives, some 35 of the number being heads of families. The weekly wages amount to \$700. The company has a paid-up capital of \$40,000, with an output which will probably reach, in the year now entered upon, \$200,000. The factory's operations embrace the manufacture of all kinds of boots, shoes and slippers. Nova Scotia and Prince Edward Island, and some portions of New Brunswick, furnish a market. Mr. Pride, the manager, remarked:—"The National Policy gives confidence to buyers, who know that they don't get slaughtered goods. It keeps out all American boot and shoe manufactures, except the very fine work. Competition with the Upper Provinces has been, and still is, keen; but the superior quality of the home manufactured article is enabling us to make considerable headway against them."

Rhodes, Curry & Co., are contractors and builders, and proprietors of the Amherst Wood Working Company, and conduct an establishment in which there is

wonderful energy and vitality displayed. Twice destroyed by fire—once in 1877, soon after the start, when everything was consumed and there was not a cent of insurance, and again in 1880, when the loss was quite heavy—the work still goes on. New buildings stand in the place of the old ones, and new machinery makes a cheerful hum therein. An enormous amount of work is being done, which but for the losses by the fires and interruptions to business, would be greater in extent. An engine of 50 horse power drives the machinery, which is the best obtainable; hot blasts, led from the brick furnace-room to brick chambers dries the wood used in manufacturing, the work is arranged in departments, and system and order everywhere prevail. Messrs. Rhodes, Curry & Co. do more than the ordinary work of manufacturing. They have a saw mill adjoining their factory building, in which they manufacture much of the dimension lumber used in their extensive works. The proprietors say:—“Our field of operations lies in Nova Scotia and in part of New Brunswick. We also find a market—a good one, too—in Newfoundland. We made one shipment of doors and house-fining this summer, and are now fitting out for another, of hardwood, principally. Business has developed much since 1878, and the National Policy has helped it greatly, the town receiving a goodly share of the benefit. Without the National Policy we couldn't run the business so successfully, as the sharp competition which we would have to encounter from the United States would interpose insuperable obstacles.”

The annual output of Messrs. Rhodes, Curry & Co.'s factory is very large. The capital invested amounts to \$40,000.

Christie Bros. & Co.'s coffin and casket factory is another of Amherst's thriving industries. This is due not to anything remarkable in the mortality of the town, but rather to the moderate cost at which the factory is able to supply superior outfits for death's victims in various sections of Nova Scotia and Prince Edward Island, and in some parts of New Brunswick. The proprietors devote their attention specially to the coffin and casket business, and embrace all that is modern in the styles and woods used. The proprietors, without indulging in even the semblance of a grim smile, made the following observations:—“The National Policy helps our business, especially with the southern Nova Scotia trade. Without it we couldn't have secured so much business.”

Lusby's tannery, a small concern, is engaged in the preparation of imitation of morroco leather from sheepskins, for which a market is found in Montreal and in the Lower Provinces.

C. R. Casey & Son, tanners, manufacture upper leather and larrigans. For the former Amherst furnishes an ample demand; and for the latter, Nova Scotia, New Brunswick and Prince Edward Island, but especially the former, supply customers. The proprietors say:—“Since the start, in 1878, the premises having been rebuilt since the fire of 1877, the business has made satisfactory progress, and is now in quite a healthy condition.”

Lawson & Wallace's carriage factory was burnt out on the 17th May, 1884, but rebuilt. Carriages and sleighs form the special lines of the factory work. The concern started very modestly, 2 hands being their whole force, and made gradual but steady progress. The force now employed numbers 16. Owing to the fire of May last, Messrs. Lawson & Wallace are unable to give any data as to output; but they are able to declare that “they have not been able to keep any stock on hand.”

A. Robb & Sons' Amherst stove and machine works, an institution of long standing and good reputation, is engaged in the manufacture of all kinds of stoves, furnaces, and general castings (both in iron and brass), rotary saw mills, shingle machines, and binding machinery for farm work. The business is a large one, and is evidently under very careful and prudent management. One of the members of the firm, the manager of the works, says:—“Our field lies in the Maritime Provinces, and also to some extent in Quebec and Newfoundland. Since 1878 we have nearly doubled the extent of our business. The National Policy has helped us directly, by keeping American stoves out of our local markets, and indirectly, by keeping American stoves out of Upper Canada. The effect of this latter upon the Upper Province



manufacturers is to keep them more to their home markets. The opening of the North-West has also been a help in this way, as it has attracted the energies of the Upper Canadians more to that territory and kept them so fully employed as to leave little chance for the accumulation of surplus stock for use in competition with Lower Province work. In the meantime, we are developing our energies down here and growing stronger.

"The National Policy has also been an indirect benefit, in that it has helped to develop other business. In the matter of mining, for instance, the stimulus given has so developed the industry as to largely increase the demand for castings."

#### LONDONDERRY.

The Londonderry (Nova Scotia) Iron Works.—The first operations of the Londonderry Iron Works were started in 1840, although on a very limited scale, and active work was really not fairly commenced until 1852. The Steel Company of Canada was organized in 1874, and the operations of the concern under the new arrangement have gradually increased. The first three years were employed in experimenting and developing the ore mines, and erecting the plant now in operation, which was seriously started in 1877. The general manager, on the 19th November last, said:—"At that time (1877) about 400 hands were employed. In 1878 somewhat over 500 hands were used, at an average wage of \$1.10 per day. Since then the number of hands employed has reached 850, and the wages, until very recently, say 1st September, averaged \$1.50 per day; now it is about \$1.20. Owing to the slackness of trade the number of men employed is reduced to about 625. The yearly product of the works may be stated at about 16,000 to 18,000 tons of pig iron per annum, as at present running, and 600 tons of bar iron. The capital expenditure at the works is about £300,000 stg."

#### THE PROVINCE OF PRINCE EDWARD ISLAND.

##### SUMMERSIDE.

Compton & Webber, furniture manufacturers, get out annually a variety of the cheaper grades of furniture, and, as occasion calls therefor, some of the more expensive kinds. Their establishment contains fourteen different varieties of labor-saving machines, which are driven by an engine of 15 horse power. The firm relies mainly upon the island for a market, and apparently not in vain. The proprietors say:—"The National Policy has been a great help to our business. Without it our establishment would not be able to run, and the Yankees would flood our markets. Just before the policy was inaugurated a whole schooner load of bedsteads, doors and sashes were landed in our little town. These were put on the market and, of course, the dealers derived a larger profit from their timely venture than they could otherwise have secured. Since the advent of the policy no more schooner loads have reached our shores, and we have been, and are still able, to make business move lively."

Pentz's furniture factory and G.M. Doull's factory furnish a "repeat" of Compton & Webber's, in the character of their experience. The buildings shelter some ten labor-saving machines in one case and quite as many in the other and the steam power is much more than adequate to drive them.

The Hall Manufacturing Company are engaged in making threshing machines, combined threshers and cleaners, shakers, fanning mills, &c. The factory is supplied with labor-saving appliances for all kinds of work, which are driven by steam power. The manager says:—"Last winter we did not operate to any considerable extent. This summer we have done a fair amount of work; but this winter we will, with our increased facilities, be enabled to quadruple our summer's work."

"The National Policy prevents American machines from coming into our Province, and gives a fair chance to compete, equalizing, in some sort, the relative positions of the manufacturers on either side the dividing line. For our machines, which,

by the way, are horse-power ones, we find a market in the island, New Brunswick and Nova Scotia."

Hon. Mr. Lefurgey, shipbuilder, has been engaged in shipbuilding at Summerside for many years, and is besides an extensive ship-owner. He completed and launched successfully, in October of this year, a fine vessel of about 1,000 tons. In each of the following years, 1878, 1879, 1882 and 1883, he built a vessel of 600 tons or thereabouts. Mr. Lefurgey's shipbuilding operations give employment to a large number of persons.

Summerside enjoys the advantage of a well-equipped printing office, and the benefit of a live weekly newspaper.

### CHARLOTTETOWN.

Hickey & Stewart's tobacco factory is an old established concern, which commands a large trade. It is evidently worked under very prudent management, and with a due regard to order and system. The business man of the house communicates the following: "Markets for the product of this factory are found in the Lower Provinces, but especially in Prince Edward Island. The description of tobacco manufactured is principally plug and twist. We do nothing in cigars.

"The National Policy helps our business to the extent that it keeps out American manufacturers. Of course that is an advantage. Confederation has, however, given us the Western Provinces as competitors, and, as a result, the rivalry is keen, though we manage to maintain our hold on the Island and other Maritime Provinces."

Robert Palmer & Co., proprietors of a sash and door factory, say: "We have more work than we can do. The fact is, that we can't get men enough. We would be glad to secure the services of a few more competent workmen."

Albert D. Ducheman, block-maker, represents business as very good this year, and very much better than last year. In 1873 he introduced steam into the work, and since then he has been gradually making improvements.

Dorsey, Goff & Co., boot and shoe manufacturers, the only concern of any considerable extent in Charlottetown, represent business as better in their line this year than ever before. They also make the following declaration: "The Island is not affected so much by the troubles of the outside world as some other Provinces or districts; yet, to some extent, the hard times do bear upon the prices of certain products. We find a market altogether in the Island for the work of our factory, and we manage to compete successfully with the Upper and neighboring Provinces.

"The National Policy keeps out American manufactures, and prevents our American cousins from making the Island a slaughter market for their surplus stock."

John Newson, furniture manufacturer, had his establishment destroyed by fire in February last, losing thereby three large buildings, all of the machinery, and all of the made-up stock contained therein, and suffering a loss of some \$20,000. After the fire he opened up again in his present temporary premises, and, with the energy common to men of his class, proceeded to work up stock for customers, and to prepare for the erection of new buildings on the old site. With a view to facilitate the work of reconstruction, he started a brick-yard in the vicinity of Charlottetown and manufactured during the summer upwards of 200,000 stock brick of superior quality. With these and new freestone trimmings he at once proceeded to erect new ware-rooms and workshops, and at the time of the present writing he has, approaching completion, as fine a pile of brick buildings as the business section of Charlottetown can boast of, and expects to occupy them about the 1st January, 1885. The factory section of the buildings is already in running order.

Charlottetown Woollen Mills Company are in full operation, and turn out as fine a lot of woollen cloths as could well be desired. These mills made a splendid exhibit of cloths in the Provincial exhibition held in Charlottetown in October of this year, and secured the first prize, the Lyon mills, with a good exhibit, being a competitor. The agent of the Charlottetown mills was pleased to say: "We find a market principally in the Island and in New Brunswick. The cloths made are tweeds, home-spuns,



blanketing, flannels, union tweeds, yarns, etc. The quality of the material will bear comparison with the product of any woollen mill in the Dominion. Our mills manage to hold a front rank in competition with any factories in the Dominion."

Mark Wright & Co's. furniture factory is a live concern, and has made much progress since its establishment in June, 1883. The present year's operations will show an advance of 50 per cent. on the output of last year, with the prospect of a still further increase as time moves on. The manager was pleased to say:—"This factory finds customers in the Island and in New Brunswick, and aims to widen the field."

"The National Policy is, of course, beneficial to our business. Were it not for the policy, this factory would not be in operation to-day."

"We are able to withstand the competition of Upper Canadians, who are our principal rivals."

W. Boyle, tanner, has a well-equipped establishment, and rejoices in the fact that he has a lucrative market for the leather he manufactures in Newfoundland, where it is much esteemed for its durability and general excellence, the process employed contributing to that result.

Donald McKinnon & Co., tanners, operate a large establishment, and turn out a fine quality of leather, which finds a ready sale in Montreal, where it is justly esteemed, and in other localities.

Coyle's tobacco factory prepares chewing and smoking tobacco, and finds a market for the article throughout the Island and in some parts of Nova Scotia. The management are hopeful that there will be a brisk fall trade.

Robert Smallwood rejoices in the fact that he is running successfully a special line of mill machinery work. In 1878 the business was carried on by Smallwood & Bowyer as general machinists and jobbers.

McKinnon and McLean, machinists and iron founders, carry on a large business, having, among other work during the past few years, equipped nearly all of the starch factories in the Island. The progress of this well managed business has been very considerable. The firm say:—"In 1878 our output was from \$18,000 to \$20,000. At that time hard times were experienced, and wages were low. Since then there has been a marked improvement, and we have gone on steadily increasing our output, while the condition of the workmen has undergone improvement both as regards the rate of wages and the steadiness of employment. The output last year was \$32,000; this year it will reach, if it does not much exceed, \$50,000."

"The National Policy has proved beneficial to our industry, in that it contributed to the expansion of other kinds of manufactures and the erection of factories requiring machinery, which we were in a good position to supply."

Tryon mills were started by Mr. Stamford in 1864, sold to Messrs. Reid & Dawson in 1869, and burnt down in 1874. The mills were rebuilt immediately after the fire by Reed Bros. This establishment runs two sets of cards. The machinery was at the outset driven by water power, but at present both steam and water power are employed. The machinery at present in use is of the latest design, and is capable of turning out black and grey tweeds, black and grey homespun, tweeds of all shades, blanketing, flannel, women's ware and druggat. The managing agent was pleased to say:—"The competition with which this establishment has to contend comes from the other Provinces. United States producers do not at present appear as competitors; they did, however, put in an appearance before 1878."

"The oils obtained from the Upper Provinces, such as red oil and vegetable oil for use in factory work, are not so good in quality as those supplied from the United States. Besides, the American oils are obtained at a cheaper rate, and, with the duties added, are about the same in price as the oils obtained from Ontario. Dyes are obtained from the United States cheaper than from Ontario. Moderation in price and excellence in quality would serve the interests of Ontario dealers better than high rates and inferior quality. Nor would they suffer if they were in all cases to sell exactly in accord with the sample qualities."

M. Stevenson, tinware manufacturer, says:—"In 1878 I worked up eighty bundles of sheet iron; last year 125; and this year my consumption will go beyond 150. I use labor-saving machinery for making stove-pipe and other work."

A. L. Bridges, pork packer, professed a strong friendship for the National Policy, believing it to be of essential benefit in his line of business, affording, as he declared it did, opportunities for a successful engagement in pork-packing which no other tariff or trade policy could supply. He backed up his assertions with the following:—"The Americans are shut out from our market by the National Policy, which imposes a duty of \$2.20 on pork. It prevents to a considerable extent the importation of American pork. As compared with United States pork our own pork is far ahead, inasmuch as it is fit for all the uses to which American pork is applied, and better for family use. Our own pork is the firmer of the two, being streaked with lean, and is, therefore, more palatable to the user, though it may not be so profitable to the supplier as the fat, coarse pork of the Western States. Hence it is that many individuals conducting large operations prefer the more coarse and less palatable article.

"I find a market in Halifax, St. John, Montreal and Quebec; but principally in the cities of the Lower Provinces."

"For hams and bacon there is a big market; all that is needed for the development of a trade therein is capital. There is an ample demand for all that can be smoked and cured."

Mr. Hartshorne, an agent of a Boston house, temporarily located himself in Charlottetown this year for the purpose of canning raspberries and strawberries. Having procured premises near the Revere House, he entered upon his work, and during the short berry season of less than a month, managed to procure and can 27 tons of this delicious fruit, which he, of course, shipped to the care of the house he represented. Strawberries and raspberries are used in the United States for preserving and other purposes. My informant, in this instance, is so credible a gentleman as Fred. W. Hales, Esq., business manager of Prince Edward Island Steam Navigation Company.

In Charlottetown there are two daily newspapers—*The Examiner* and *The Patriot*—and each of these issue a weekly edition. There is one semi-weekly—*The Presbyterian*—and three weeklies, *The New Era*, *The Herald* and *The Advertiser*. Each of these establishments gives steady employment to a number of hands.





Province of Prince Edward Island										
Charlottetown .....	346	144,998 00	601	189,100 60	219,600 00	444,900 00	391,900 00	793,492 00	35	51 - 16
Summerside .....	79	28,158 00	142	48,922 00	40,000 00	60,000 00	51,800 00	145,600 00	10	15 5
Starch factories.....	24	8,736 00	164	58,760 00	20,000 00	85,000 00	104,000 00	210,000 00	2	11 9
Lobster canneries.....	195	22,712 25	2,429	*281,632 00	10,242 00	45,282 00	127,000 00	561,600 00	5	62 57
Cheese factories .....	.....	.....	17	7,956 00	.....	.....	14,800 00	36,000 00	.....	6 6
Tyron woollen cloth factory .....	19	5,954 00	22	7,124 00	16,000 00	38,863 00	20,000 00	45,000 00	1	.....
Totals.....	14,926	5,658,833 97	21,813	7,484,365 70	11,659,431 00	15,832,182 00	18,868,273 00	25,603,066 00	1034	1410 415 39
Small industries in York and Carleton Counties; in Frederic- ton, Woodstock, Sackville, Sussex, Halifax and Dartmouth, Truro, New Glasgow, Amherst, Charlottetown and Summer- side—estimated .....	3,131	965,640 00	4,462	1,366,404 00	1,410,300 00	1,880,400 00	2,141,760 00	2,677,220 00	870	1160 290
Increase in favor of 1884, without small (estimated) industries....	18,059	6,624,473 97	26,275	8,850,769 70	13,069,731 00	17,712,682 00	21,010,033 00	27,880,286 00	1901	2570 708
Increase in favor of 1884, with small (estimated) industries....	.....	.....	6,888	1,825,631 73	.....	.....	7,208,842 00	9,770,834 00	.....	376
Total .....	.....	.....	8,216	2,226,295 73	.....	.....	7,940,302 00	10,167,704 00	.....	.....

\* Season's aggregate only. † This does not include any output from Gibson's cotton factory, wh<sub>1</sub>ch will start January, 1885.



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STOPPED INDUSTRIES.

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## ST. JOHN CITY AND COUNTY.

Industries in operation in St. John, in 1878, but not now running, 36; hands employed in the dropped industries, 698; weekly wages of the employed in the dropped industries amounted to \$5,675.

The dropped industries included.—Mills temporarily shut down because of depression in the lumber trade, 3; hands employed in these (3) mills, 133; weekly wages of 133 hands, \$893.

Shipyards idle from prostration in the wooden ship trade, 3; hands employed in these (3) shipyards, 198; weekly wages of 198 hands, \$1,893.

Builders, busy while the work of reconstructing the burned section of St. John was proceeding vigorously, whose working force numbered 152; weekly wages of the 152 workmen, \$1,483.

The other dropped industries in St. John were 29; employment force in these 29 lapsed industries, 215; weekly pay roll of 215 hands, \$1,406.

## OTHER LOCALITIES

Supplied a record of only 3 or 4 stoppages—1 factory in Halifax, due to negligence of proprietor; 1 tannery in Truro, closed three years ago because of inability and great age of proprietor; and 1 saw mill in Fredericton, because of depressed trade.

## LIST OF STOPPED INDUSTRIES.

Name and Industry.	Hands Em- ployed.	When and Why Stopped.
<i>City St. John—East.</i>		
1. Joseph H. Valprey, boot and shoe factory.....	22	Early part of 1881.
2. Henry Conroy & Son, wig maker and hair worker...	3	Senior partner died.
3. Silas Brown, builder, &c.....	100	1879—Unsuccessful in contracts; went to United States.
4. Robert Melrose, builder, &c.....	15	1881—Retired; well to do.
5. E. J. Brass do .....	8	do do do
6. Tilley & Redfern, masons, &c .....	14	Dissolved in latter part of 1878.
7. Patrick Halpin, mason, &c.....	7	Fall of 1878—Neglected business.
8. John Runciman, brass founder.....	4	Fall of 1879.
9. John T. Kelly, blacksmith.....	2	1881.
10. Hanford Spiller, blacksmith.....	3	1881.
11. Amos Fales, carver.....	2	Went to Western States in 1881; since returned; now working with Barnham & Son.
12. Dr. Colwell, dentist.....	1	Removed to Halifax in 1884.
13. Wm. E. Everett, foundry .....	15	Died in 1879.
14. Osgood Isbister, sign painter.....	6	Went to Boston in fall of 1881.
15. David Carroll, plumber and gasfitter.....	5	Stopped since 1878; think dead.
16. A. Rowan do do .....	7	Retired in 1880; gas inspector now.
17. "News" printing office.....	23	Suspended April 8, 1884.
18. John Eagan, rigger.....	10	1883.
19. R. H. Flaherty & Co., safe manufacturer.....	9	1879—Dissension in the firm.
20. D. L. Hutchison, watchmaker and jeweller.....	2	1880.
21. A. J. H. Bartsch do do .....	1	Dead.
22. W. W. Dudley, bookbinder.....	4	do
<i>City St. John—West.</i>		
23. Jos. P. French, builder, &c.....	8	1882.
24. B. McCormack, baker.....	3	1880.
25. Wm. Kindred, blacksmith.....	2	Dead.
26. Thos. H. Adams, planing mill .....	8	1881.
27. Samuel Mayes, wharf builder and pile driver.....	16	1880—To go into other work.
28. John D. Devoe, pottery.....	10	Died in 1881.
<i>Portland.</i>		
29. Kirk & Daniel, saw mill.....	91	
<i>Musquash.</i>		
30. Chas. F. Clinch & Sons, saw mill.....	40	1882.
<i>St. Martins.</i>		
31. Arch. Parks, shipbuilder.....	63	Died June 14, 1884.
32. T. H. Bradshaw, shipbuilder.....	50	Not in operation in 1884.
33. St. Martins Wood Manufacturing Co.....	22	1881.
34. Wm. Titus, Woodlake saw mill.....	2	Not running in 1884.
35. Coldbrook nail factory.....	63	Merged with E. R. Moore & Co. in 1884.
36. J. Patten, boot and shoemaker.....	3	Not working in 1884.



## NEW INDUSTRIES STARTED SINCE 1878.

Locality.	No. of In- dustries.	No. of Hands.	Yearly Aggregate of Weekly Wages.	
			\$	cts.
St. John city and county.....	203	1,413	463,910	00
Fredericton .....	9	67	22,906	00
Marysville.....	1	116	58,500	00
St. Mary's.....	2	18	5,876	00
Woodstock.....	14	113	510,010	00
Moncton.....	42	666	223,984	00
Sackville.....	2	12	3,562	00
Sussex.....	4	15	4,914	00
St. Stephen.....	6	57	19,393	00
Milltown.....	1	525	138,411	00
Halifax and Dartmouth.....	20	845	252,200	00
Truro.....	8	101	39,699	00
New Glasgow.....	4	221	85,020	00
Amherst.....	6	64	25,792	00
Charlottetown.....	16	234	68,809	00
Summerside.....	5	34	8,580	00
Other districts in Prince Edward Island.....	72	2,380	314,952	00
	415	6,881	2,246,501	00

**AN ABSTRACT of the Comparative (General) Statement showing the Increase and Decrease in Hands, Wages, Capital, Output and Industries, by Districts.**

Locality or Industry.	No. of Hands.	Yearly Aggregate of Weekly Wages.	Capital Invested.	Product or Yearly Output.	Whole No. of Industries Visited. 1878-84.	New Industries.	Stopped Industries.
		\$ cts.	\$ cts.	\$ cts.			
<b>City and County of St. John :</b>							
1884.....	8,562	3,222,988 60	7,800 690 00	9,752,118 00	948	203	36
1878.....	8,555	3,314,956 32	6,688,776 00	8,918,370 00	781	.....	.....
Increase in favor of 1884 .....	.....	.....	1,111,914 00	833,748 00	167	.....	.....
Decrease.....	.....	91,967 72	.....	.....	.....	.....	.....
<b>County of York—Fredericton, Marysville, St Marys, Gibson, Nashwaaksis, Douglas, Benton, Canterbury :</b>							
1884.....	2,176	911,497 60	1,693,100 00	*997,994 00	42	12	1
1878.....	2,008	820,601 60	689,945 00	919,925 00	31	.....	.....
Increase in favor of 1884 .....	168	90,896 00	1,008,155 00	78,069 00	11	.....	.....
<b>County of Carleton—Woodstock :</b>							
1884.....	475	165,365 22	430,850 00	632,950 00	42	14	.....
1878.....	318	128,174 00	317,805 00	423,741 00	28	.....	.....
Increase in favor of 1884 .....	157	37,191 22	113,045 00	209,209 00	14	.....	.....
<b>Co. of Westmoreland—Moncton :</b>							
1884.....	904	316,925 60	848,000 00	2,022,222 00	62	42	.....
1878.....	140	51,833 00	119,595 00	159,460 00	20	.....	.....
Increase in favor of 1884 .....	764	265,092 60	728,405 00	1,862,762 00	42	.....	.....
<b>Co. of Westmoreland—Sackville :</b>							
1884.....	160	63,154 00	112,000 00	164,000 00	7	2	.....
1878.....	74	29,380 00	56,886 00	75,860 00	5	.....	.....
Increase in favor of 1884 .....	86	33,774 00	55,114 00	88,150 00	2	.....	.....
<b>County of Kings—Sussex :</b>							
1884.....	116	38,698 40	73,200 00	171,588 00	13	4	.....
1878.....	36	11,398 40	39,936 00	53,251 00	9	.....	.....
Increase in favor of 1884 .....	80	27,300 00	33,264 00	118,337 00	4	.....	.....
<b>County of Charlotte—St. Stephen, Milltown, Deer Lake :</b>							
1884.....	1,643	580,125 00	1,687,800 00	1,193,193 00	25	7	.....
1878.....	843	324,298 00	448,122 00	597,498 00	18	.....	.....
Increase in favor of 1884 .....	800	255,827 00	1,239,678 00	595,695 00	7	.....	.....
<b>Halifax and Dartmouth :</b>							
1884.....	2,668	882,312 60	3,226,633 00	6,770,880 00	81	20	1
1878.....	1,398	458,031 60	2,261,925 00	3,015,905 00	62	.....	.....
Increase in favor of 1884 .....	1,270	424,281 00	964,708 00	3,754,975 00	19	.....	.....
<b>Truro :</b>							
1884.....	272	108,715 88	269,000 00	313,131 00	19	8	1
1878.....	115	37,486 80	99,291 00	132,389 00	12	.....	.....
Increase in favor of 1884 .....	57	71,229 08	169,709 00	180,742 00	7	.....	.....

\* No output from Gibson's cotton mill in this. Will start January, 1885.



AN ABSTRACT of the Comparative (General) Statement showing the Increase and Decrease in Hands, Wages, Capital, Output and Industries, by Districts—*Con.*

Locality or Industry.	No. of Hands.	Yearly Aggregate of Weekly Wages.	Capital Invested.	Product or Yearly Output.	Whole No. of Industries Visited. 1878-84.	New Industries.	Stopped Industries.
<b>New Glasgow :</b>		\$ cts	\$ cts.	\$ cts.			
1884.....	402	177,884 20	35,500 00	692,269 00	11	4	.....
1878.....	117	44,158 40	151,110 00	201,481 00	7	.....	.....
Increase in favor of 1884 .....	285	33,725 80	204,390 00	490,788 00	4	.....	.....
<b>Londonderry—Iron Works :</b>							
1884.....	625	234,325 00	1,460,000 00	550,200 00	1	.....	.....
1878.....	500	171,600 00	330,120 00	440,160 00	1	.....	.....
Increase in favor of 1884 .....	125	62,725 00	1,129,880 00	110,040 00	0	.....	.....
<b>Amherst :</b>							
1884.....	435	188,869 00	197,000 00	550,929 00	13	6	.....
1878.....	158	56,357 60	150,078 00	200,107 00	7	.....	.....
Increase in favor of 1884 .....	277	132,511 40	46,922 00	350,822 00	6	.....	.....
<b>Charlottetown, P.E.I. :</b>							
1884.....	601	189,100 60	391,900 00	793,492 00	51	16	.....
1878.....	346	144,998 00	219,600 00	444,900 00	35	.....	.....
Increase in favor of 1884 .....	255	44,102 60	172,300 00	348,592 00	16	.....	.....
<b>Summerside, P.E.I. :</b>							
1884.....	142	48,932 00	51,800 00	145,600 00	15	5	.....
1878.....	79	28,158 00	40,000 00	80,000 00	10	.....	.....
Increase in favor of 1884 .....	63	20,774 00	11,800 00	65,600 00	5	.....	.....
<b>Starch Factories :</b>							
1884.....	164	58,760 00	104,000 00	210,000 00	11	5	.....
1878.....	24	8,736 00	20,000 00	85,000 00	2	.....	.....
Increase in favor of 1884 .....	140	50,024 00	84,000 00	125,000 00	9	.....	.....
<b>Lobster Canning :</b>							
1884.....	2,429	281,632 00	127,000 00	*561,500 00	62	57	.....
1878.....	195	22,712 25	10,242 00	45,282 00	5	.....	.....
Increase in favor of 1884 .....	2,234	258,919 75	116,758 00	516,218 00	57	.....	.....
<b>Cheese Factories :</b>							
1884.....	17	7,956 00	14,800 00	36,000 00	6	6	.....
1878.....	.....	.....	.....	.....	.....	.....	.....
Increase in favor of 1884 .....	17	7,956 00	14,800 00	36,000 00	6	.....	.....
<b>Tryon Woollen Cloth Factory :</b>							
1884.....	22	7,124 00	20,000 00	45,000 00	1	.....	.....
1878.....	19	5,945 00	16,000 00	38,863 00	1	.....	.....
Increase in favor of 1884.....	3	1,179 00	4,000 00	6,137 00	0	.....	.....

\* Only season's output in this.

AN ABSTRACT of the Comparative (General) Statement showing the Increase and Decrease in Hands, Wages, Capital, Output and Industries, by Districts—*Con.*

## RECAPITULATION.

Locality or Industry.	No. of Hands.	Yearly Aggregate of Weekly Wages.	Capital Invested.	Product or Yearly Output.	Whole No. of Industries Visited, 1878-84.	New Industries.	Stopped Industries.
		\$ cts.	\$ cts.	\$ cts.			
Totals, 1884 .....	21,813	7,484,365 70	18,868,273 00	25,603,066 00	1,410	415	39
do 1878 .....	14,925	5,658,833 97	11,659,431 00	15,832,182 00	1,034	.....	.....
Total increases in favor of 1884..	6,888	1,825,531 73	7,208,842 00	9,770,884 00	376	415	39

## APPENDIX No. 2.

TABULAR STATEMENT, GIVING DESIGNATION OF MANUFACTURING ENTERPRISES, EMPLOYMENT FORCE, WAGES PAID, &c., &c.

Submitted herewith are tabular statements containing the designation and location of the various manufacturing industries in section of the Maritime Provinces; together with the number of persons employed therein in 1878 and 1884, the amount of wages paid weekly to each class, the date of establishment, the amount of capital invested in each enterprise, and the annual output or product. In the case of St. John city and county there is no indication of capital invested nor of annual output, and the date of establishment only appears when the enterprise was started during or since 1878.



## TABULAR STATEMENT giving Designation of Manufacturing

No.	Name and Industry.	Location.	Hands employed in 1878.		
			M.	B.	F.
St. John City.					
1	John Norris, auger manufacturer .....	55 Sydney Street .....	1		
2	G. S. Fisher & Co., asphalt and concrete layers, roofers and manufacturers .....	Carmarthen Street .....	50		
3	H. C. Martin & Co., artists .....	Cor. King and Germain Streets .....			
4	John Woodley, boat builder .....	Main Street .....	2		
5	Joseph Howard do .....	do corner Carmarthen .....			
6	A. F. Dibblee do .....	do .....	2	2	
7	Coleman Flaherty, boot and shoemaker .....	Wentworth Street .....			
8	John Kearns do .....	Britain Street .....	1		
9	J. DeVeber Wilber do .....	161 St. James Street .....	1		
10	John O'Brien do .....	Germain Street .....	2		
11	G. Ramage do .....	do .....			
12	Samuel Fisher do .....	158 Charlotte Street .....	3		
13	Robert McClintock do .....	181 do .....			
14	John Hammond do .....	94 Canterbury Street .....	5		
15	Geo. Kilnapp do .....	103 Princess Street .....	8	1	1
16	G. T. Barker do .....	246 Union Street .....	2	2	
17	T. Keefe do .....	235 do .....	2	1	
18	Alex. Wallace do .....	229 do .....			
19	Thos. Sweeney do .....	189 do .....	4		
20	Joseph T. Noble do .....	171 do .....	2		
21	Patrick Keenan do .....	do East End .....	2		
22	Geo. A. Noble do .....	55 Germain Street .....	6		
23	Robert McAndrews do .....	do .....	1		
24	Howard Caldwell do .....	216 Sydney Street .....	1		
25	John Gallagher do .....	48 do .....			
26	Geo. B. Barker do .....	29 do .....	5		
27	Wm. Bruce do .....	29 do .....	3		
28	J. Mowatt do .....	do .....	2		
29	A. Shaw do .....	36 Chipman's Hill .....			
30	Wm. Kirk do .....	290 Prince William Street .....	1	1	
31	Daniel Moynahan do .....	55 Dock Street .....	4		
32	John Dollard do .....	Main Street .....	1	1	
33	Daniel Regan do .....	8 Mill Street .....	1		
34	Edmond Condon do .....	79 do .....	1		
35	John Shields do .....	do .....	1		
36	Lawrence McGill do .....	1 do .....	4		
37	J. Mitchell, jun do .....	King Street .....	1		
38	John Mullin do .....	97 do .....	2		
39	Jas. McConnell do .....	15 do .....	2		
40	Waterbury & Rising do .....	do .....	2		
41	Robert J. Gorham do .....	25 Waterloo Street .....			
42	Peter Gorman do .....	11 Brussels Street .....			
43	James Keohan do .....	21 do .....	3		
44	Wm. Sinclair do .....	55 do .....	2		
45	J. Patten do .....	do .....	3		
46	Thos. Walsh do .....	56 do .....			
47	Joseph Boyd do .....	241 do .....	1		
48	Charles Wasson do .....	252 do .....	2		
49	John Kavanagh do .....	268 do .....	2	1	
50	M. T. Kavanagh do .....	Hay Market Square .....			
51	George Kelly do .....	Pitt Street .....			
52	Mr. Dollard do .....	do .....			
53	B. Monahan do .....	Elliott Row .....			
54	Thos. Lowrie do .....	202 Charlotte Street .....			
55	Wm. Hatfield do .....	Duke Street .....			
56	P. F. Dollard do .....	do .....			
57	S. K. Foster, ladies' shoe and slipper maker ..	Germain Street .....	1		
58	J. W. Carrell, boot and shoe factory .....	240 Union Street .....			
59	Jas. Robinson & Co. do .....	23 and 25 Prince William Street ..	25	10	25
60	Jas. Hurley do .....	Cor. Smyth and Union Streets ..			
61	Maurice Walsh do .....	110 Brussels Street .....	7		

## Enterprises, Employment Force, Wages Paid, &amp;c., &amp;c.—Continued.

Average rate of wages per week.			Hands employed in 1884.			Average rate of wages per week.			Remarks.
M.	B.	F.	M.	B.	F.	M.	B.	F.	
\$ cts.	¢ cts.	\$ cts.				\$ cts.	\$ cts.	\$ cts.	
6 00			1	1		8 00	4 00		
8 00			9			8 50			
8 00			3		1	24 00		12 00	Started in March, 1884.
			2			8 00			
			1			8 00			do 1879.
10 00	3 00		1	1		9 50	3 50		
			1			8 00			do 1879.
7 00			1			7 00			
8 00			1			8 00			
8 00			2			8 00			
			1	1	1	6 00	3 50	2 75	
8 00			1			8 00			
			1			7 00			do March, 1884.
7 00			2			7 00			
7 00	4 50	3 50	2			7 00			
8 00	4 00		2	1		8 00	3 50		
8 00	3 00		2			6 00			
			1			10 00			do December, 1882.
6 00			2			6 00			
8 00			3			8 00			
7 00			2			6 50			
7 00			6			7 00			
7 00			1			7 00			
6 00			1			6 00			
			2	1		6 00	1 50		do 1879.
8 00			2			8 00			In partnership with his father in 1878.
6 00			1			7 00			
7 00			2			7 00			
			1	2		6 00	2 00		Started in fall of 1881.
6 00	3 00		2			6 00			
5 00			1			6 00			
8 00	2 00		1			6 00			
6 00			1			6 00			
6 00			1			6 00			
5 00			1			5 00			
7 00			3			7 00			
6 00			1			6 00			
10 00			1			10 00			
7 00									
6 00			2			6 00			
			1			8 00			do 1882.
			1			7 00			do 1882.
6 00			1			6 00			
8 00			2			8 00			
9 00			1			5 00			Not working actively in 1884.
			1			8 00			Started in May, 1883.
			1			4 00			
4 00			1			7 00			
7 00			1			7 00			
7 00	2 00		1	1		6 00	4 00		
			1			6 00	1 25		
			1	1		5 00	2 00		
			1			7 00			do July, 1884.
			1			6 00			do 1884.
			1			6 00			do 1883.
			1			7 00			do May, 1884.
			1			9 00			do June, 1883.
			1			6 00			do May, 1884.
6 00		3 00	1		2	6 00		3 00	
			15		12	8 50		3 00	Established February, 1883.
6 50	2 00	3 00	50	12	34	5 75	2 25	3 00	
			15		8	8 00		3 50	Started in 1879.
8 00		3 00	1	1	1	8 00	2 00	4 00	



## TABULAR STATEMENT giving Designation of Manufacturing

No.	Name and Industry.	Location.	Hands employed in 1878.		
			M.	B.	F.
St. John City—Continued.					
62	Francis & Vaughan, boot and shoe factory ...	King St., Paradise Row, Factory	54	6	30
63	Jos. H. Valpey do .....	Waterloo Street.....	12	2	8
64	W. A. McFate, boot, shoe, larrigan and slipper factory.....	210 Union Street.....	17	4	11
65	Charles A. Guernsey, barber.....	Germain Street.....	2		
66	G. Pierce do .....	Union Street .....	4		
67	John Pooley do .....	253 Union Street .....	7		
68	Denis McCarthy do .....	191 do .....	1	1	
69	John Henry Scott do .....	do East End.....			
70	Walter Hamilton do .....	South Side King's Square.....			
71	L. O. J. Lewis do .....	Prince William Street .....			
72	John Calvin do .....	280 do .....	1	1	
73	John Pierce do .....	26 Dock Street.....	2		
74	Charles O'Eara do .....	do .....	1	1	
75	John Daley do .....	5 Mill Street.....			
76	Henderson & McIntyre do .....	36 King Street.....	6		
77	H. Cunningham do .....	102 do .....			
78	W. Wain & Son do .....	do .....	4		
79	John McMaster do .....	Pond Street, City Road.....			
80	Wm. Fox do .....	Britain Street .....			
81	Henry Conroy & Son do and wig maker	Germain Street.....	3		
82	T. S. Simms & Co., brush and broom manf ..	55 and 57 Smyth Street.....	16	7	12
83	H. Finlay & Co., brush manf .....	Waterloo Street .....			
84	Hutchings & Co., bedding manufacturers.....	101 and 107 Germain Street.....	8		1
85	Mooney & Sons, builders .....	Queen Street.....	180		
86	Richard Cassidy do .....	do .....	15		
87	Bond & Milden do .....	do cor. Wentworth.....	20		
88	John Drury do .....	22 Waterloo Street.....	60		
89	Bowman & LeLacheur do .....	Brussels Street.....	22		
90	Alex. Harrison do .....	37 Leinster Street.....	{ * 30 † 17		
91	Chas E. Sulis do .....	Main Street, cor. Wentworth ..	5		
92	J. W. Morrison do .....	Sydney Street .....			
93	John Ferguson do .....	Union Street .....			
94	Silas Brown do .....	23 Golding Street.....	100		
95	Robert Melrose do .....	Waterloo Street.....	15		
96	E. J. Brass do .....	King Street .....	5		
97	Robert Moore do and carpenter.....	Britain Street, cor. Pitt .....	5		
98	Wm. Kee do do .....	St. James Street .....	15		
99	Edward Hennigar do and mason.....	Queen Street .....	2		
100	Wm. Cansey do do .....	65 Mecklenburg Street.....	{ * 10 † 6 * 17		
101	M. Flood & Sons do do .....	Sydney Street .....	{ † 23 † 9 † 5	1	
102	Tilley & Redfern do do .....	King's Square .....	{ * 4 † 3		
103	Patrick Halpin do do .....	278 Waterloo Street.....	20		
104	W. L. Prince do and planing mill	253 Union Street.....	3		
105	J & W. Shaw, bakers.....	170 Waterloo Street.....	20		
106	Alex. Vallance do .....	49 and 50 Brussels Street.....	3		
107	W. McLaughlin do .....	320 do .....	3		
108	John H. McLaughlin do .....	47 Richmond Street.....	3		
109	S. J. Lauckner do bread and cake.....	117 and 121 Sydney Street.....	2		2
110	George Mitchell do do .....	223 Brussels Street.....	1	2	
111	J. O. Miller, pastry baker and confectioner..	133 Charlotte Street.....	4	3	
112	Smith Bros. do fancy cake.....	20 Waterloo Street.....			
113	Bryden Bros. & Co., biscuit maker .....	13 and 15 Union Street .....	7		
114	T. Rankine & Sons do .....	10 and 14 Mill Street.....	16	11	

\* Mechanics.

† Laborers.

## Enterprises, Employment Force, Wages Paid, &amp;c. &amp;c.—Continued.

Average rate of wages per week.			Hands employed in 1884.			Average rate of wages per week.			Remarks.
M.	B.	F.	M.	B.	F.	M.	B.	F.	
\$ cts.	\$ cts.	\$ cts.				\$ cts.	\$ cts.	\$ cts.	
9 00	3 00	4 00	36	4	30	7 00	3 00	3 00	Stopped in early part of 1881.
8 00	4 00	3 00							
8 00	4 00	3 00	16	4	10	8 50	5 50	3 50	Vincent & McFate in 1878, and up to spring of 1883.
7 00			2			7 00			Started in 1878.
8 50			2			8 50			
7 00			1	1		12 00	3 00		
9 00	2 00		2	1		7 50	1 00		
			1			8 00			Started July, 1884.
			3			11 00			Started for self in 1881. In business with Henderson & Grey in 1878.
			2			10 00			Started June, 1884.
8 00	2 50		1	1		8 00	2 50		
7 00			2			7 50			
8 00	4 50		2			8 00			
			1			9 00			
10 00			6			7 00			
			1	1		9 00	4 00		Started in March, 1879.
8 00			3			8 00			
			1			6 00			Started in 1881.
			1			9 00			
9 00									Dead.
8 00	3 00	3 00	16	7	12	8 00	3 0	3 00	Started in fall of 1883.
			1	2	1	7 00	1 25	2 50	
6 00		4 00	12		2	7 00		3 50	
11 40			30			11 25			
9 50			2			8 00			
9 00			20			10 50			
9 00			15			9 00			
9 00			7			8 50			
10 00									
18 00			2			9 00			
9 00			2			9 00			
			3			9 00			Started in 1880.
			6			9 00			do 1884, formerly A. Christie & Co.
10 00									Stopped in 1879.
9 00									Retired in 1881.
9 00									do
10 00			1			10 00			
10 00									
12 00			2			15 00			
18 00			* 10			18 00			
8 40			† 8			7 80			
15 00	4 00		* 10			18 00			
9 00			† 12			7 30			
12 00									Dissolved in latter part of 1878.
7 50									
12 00									Stopped in fall of 1878.
7 50									
10 00			12			9 00			
8 00			15			8 00			
9 00			1			9 00			
8 00			3			8 00			
7 00			2			7 00			
9 00		3 00	2		2	9 00		3 00	
8 00	2 00		1	1		8 00	3 00		
7 00	3 00		3	2		7 00	3 00		
			3		1	9 00		3 50	Succeeded Benj. Hevenor in 1879.
8 00			5			7 00			
11 00	2 00		17	12	10	11 10	2 40	2 50	



## TABULAR STATEMENT giving Designation of Manufacturing

No.	Name and Industry.	Location.	Hands employed in 1878.		
			M.	B.	F.
St. John City—Continued.					
115	Wm. R. Rees, butcher .....	15 Waterloo Street.....			
116	P. Kane do .....	do .....	2		
117	E. McDonald do .....	113 Brussels Street .....	3	2	
118	Michael Foley do .....	do .....			
119	Michael Donovan do .....	Hay Market Square.....	2		
120	Thos. O'Brien do .....	31 Patrick Street.....			
121	John Linnehan do .....	Market Building .....	3		
122	Wm. Cotter do .....	do .....	3		
123	James Hayes do .....	do .....	2		
124	J. Gorman do .....	do .....			
125	Michael Ryan do .....	do .....	3		
126	O'Neill Bros do .....	do .....	6		
127	Jas. Minnehan do .....	do .....	4		
128	Jas. Lauder do .....	do .....			
129	Felix McGirr do .....	do .....	3		
130	Michael Coughlan do .....	do .....	3		
131	P. McDonald do .....	do .....	3		
132	Thos. Dean do .....	do .....			
	ber woods and ships.....	do .....	5		
133	W. C. Godsall & Co., butcher and provisions.	Germain Street .....	4	2	
134	P. J. McEvoy, butcher, sausage and pressed beef .....	193 Union Street.....	1	1	
135	John Hopkins, butcher, sausage, Bologna, pressed meat, mince meat, sugar-cured bacon and hams, and sausage casing maker .....	186 do .....	5		
136	J. E. Arrowsmith, do do .....	Princess Street, cor. Charlotte.	2	1	
137	Vanwart Bros., butchers and fish dealers .....	203 Charlotte Street.....			
138	Alex. Mullin, bacon preserver and pork packer .....	Market Building .....	2		
139	Michael Toie, brass founder.....	59 Sydney Street.....			
140	Harris Allan do .....	19 Water Street.....	12	3	
141	John Runciman do .....	King's Square.....	4		
142	T. McAvity & Sons do .....	69 and 73 Water Street.....	10	2	
143	T. Stewart & Son do .....	do .....			
	platers.....	243 Union Street.....	6	4	
144	R. Dinn, blacksmith.....	44 Brussels Street .....	3		
145	John Macaulay do .....	159 do .....	6		
146	John T. Kelly do .....	do .....	2		
147	Hanford Speller do .....	Union Street .....	3		
148	John F. Lauson do .....	268 do .....	2	1	
149	M. T. Ritchie do .....	65 Peter Street.....	6		
150	R. T. Wallace do .....	Brussels Street.....			
151	Geo. W. Cosman do .....	312 do .....	2		
152	Wm. Ross do .....	Sydney Street.....			
153	J. Garnett do .....	201 and 203 Brussels Street.....			
154	Jas. Elliott do .....	New Pier, Water Street.....			
155	John Donnelley do .....	Marsh Bridge .....			
156	John Ingles do .....	Church or Short Street.....	4		
157	Joseph Rowley, carriage blacksmith and horseshoer .....	92 Brussels Street.....			
158	Edward Murphy do .....	127 do .....			
159	Laskey & Son, blockmakers .....	Walker's Wharf .....	3		
160	Bradley Bros do .....	Smyth Street .....	10	2	
161	Robert O'Brien do .....	115 Water Street.....	5	1	
162	D. McLaughlin & Son, boiler makers .....	North Slip .....	20	5	
163	S. Jones, brewer.....	Union Street.....	7		
164	G. Brown & Co, Excelsior Sheet Bluing Co.....	King's Square .....			
165	Samuel H. Laskey, cabinet maker.....	South side King's Square .....	3		
166	Oliver Toland do .....	230 Brussels Street.....	4		
167	Geo. Ellston do .....	do .....			

## Enterprises, Employment Force, Wages Paid, &amp;c., &amp;c.—Continued.

Average rate of wages per week.			Hands employed in 1884.			Average rate of wages per week.			Remarks.
M.	B.	F.	M.	B.	F.	M.	B.	F.	
\$ cts.	\$ cts.	\$ cts.				\$ cts.	\$ cts.	\$ cts.	
6 00			2	1		7 00	2 00		Started in September, 1882.
9 00	2 00		1	1		6 00	3 00		
6 00			1	1		9 00	5 00		
			1			7 00			
			1			6 60			
			1	2		9 00	2 25		do December, 1883.
7 00			3			8 00			
7 00			3			8 00			
7 00			2			8 00			
			2			8 00			do 1881.
7 00			3			8 00			
7 00			6			8 00			
7 00			4			8 00			
			3			8 00			do 1880.
7 00			3			8 00			
7 00			3			8 00			
7 00			3			8 00			
7 00			5			8 00			
9 00	3 00		4	2		9 00	3 00		
9 00	3 00		2	1		9 00	3 00		do January, 1879.
9 00			5			9 00			
8 00	2 00		2	1		9 00	2 50		
			2			6 00			do 1879.
7 00			2			8 00			
			3			9 00			do in fall of 1880.
8 00	3 00		10	2		8 00	3 00		
7 00									Stopped in early part of 1879.
9 00	2 00		20	14		10 00	3 00		
10 00	3 00		2	1		6 00	2 00		
6 00			2			6 00			
8 00			2			9 00			Katheline & Macaulay in 1878; started for self in spring of 1884.
8 00									Stopped in 1881.
8 00	2 00		2	3		8 00	3 75		do
8 00			1	1		8 00	3 00		
			1	1		8 00	2 50		Started in May, 1884.
7 00			2			8 00			
			1	2		9 00	2 75		do March, 1881.
			1	1		7 00	1 50		do May, 1883.
			4			9 00			do November, 1881.
			2			7 00			do June 2nd, 1883.
8 00			2			9 00			
			3	1		8 00	2 00		do May, 1881.
			2			6 00			do do 1884.
7 00			3			7 00			
7 50	2 00		10	2		8 00	3 00		
9 00	2 00		4	2		10 00	4 00		
10 00	4 00		30	6		11 00	5 00		
8 00			8			9 00			
			4		2	8 00		3 00	do June, 1884.
9 00			2			9 00			
7 00			1			7 00			
			1			5 00			do March, 1884.



## TABULAR STATEMENT giving Designation of Manufacturing

No.	Name and Industry.	Location.	Hands employed in 1878.		
			M.	B.	F.
St. John City—Continued.					
168	Chas. W. Smith, cabinet maker and upholsterer.....	King Street; factory, City Road			
169	Wm. Hunkin, cabinet work repairer.....	88 Charlotte Street.....			
170	Thos. Joungeclaus, clothier.....	51 do.....	7		26
171	Hugh Nealis do.....	69 Dock Street.....	5		25
172	Thos. Lunney do.....	73 do.....	2		6
173	Andrew Burrell do.....	2 Market Square, south side.....			
174	D. Coughlan do.....	8 do do.....	3		14
175	Kirkpatrick Bros. do.....	7 King Street.....	2		18
176	Daniel & Boyd, London House clothing factory.....	33 Chipman's Hill.....	7		113
177	T. R. Jones & Co., clothing and shirt factory	Canterbury Street.....	4		70
178	John Gibbs, confectioner.....	211 Union Street and 81 Sydney.	1		2
179	Francis Downing do.....	Orange Street, corner Sydney.			
180	J. R. Woodburn & Co. do.....	44 and 46 Dock Street.....	6	3	9
181	Thos. White do.....	King Street.....	1	2	
182	E. N. Hoyt do.....	67 do.....	1		1
183	S. F. Matthews do.....	Charlotte Street.....	1	1	1
184	J. F. Rankin do.....	pastry and ice cream			
185	Crothers, Henderson & Wilson, carriage and sleigh factory.....	87 do.....			
186	Wm. Keithlin, carriage maker.....	43 and 45 Waterloo Street.....	14	6	
187	Wm. Fleming do and wheelwright.....	127 Brussels Street.....	8	3	
188	A. O. Skinner, carpet maker.....	5 Patrick Street.....	1		
189	A. B. Sheraton do.....	King Street.....	2		8
190	Manchester, Robitaille & Allison, carpet makers.....	do.....	2		12
191	A. H. Bell, cigar manufacturer.....	do.....			
192	A. Isaacs do.....	14 Canterbury Street.....			
193	Wm. Peters, currier.....	24 Dock Street.....	5		
194	Fleischmann & Co, compressed yeast manfs.	240 Union Street.....	8	1	
195	John Mitchell, carver.....	73 Sydney Street.....			
196	Amos Fales do.....	Walker's Wharf.....	1		
197	John Gallagher, cooper.....	Union Street.....	2		
198	James Armstrong do.....	Walker's Wharf.....	5		
199	Dearborn & Co., coffee and spice factory.....	Johnston's Wharf.....			
200	Wm. Rourke, carpenter.....	95 Prince William Street; factory, 34 Waterloo Street.....	2		2
201	Gideon Hevenor, coppersmith.....	Crown Street.....	1		
202	St. John cotton mill.....	Corner Smyth and Nelson Sts. Albion Street, Courtenay Bay.	2	1	
203	Miss Doyle, dress and mantle makers.....	Queen Street.....			20
204	Miss Carey do.....	Horsfield Street.....			6
205	Miss Gore do.....	74 Germain Street.....			
206	Miss Alice Read do.....	323 Union Street.....			
207	Miss Mary Carr do.....	141 Germain Street.....			
208	Miss Eleanor Worrall do.....	159 Union Street.....			
209	Miss Carson do.....	94 Sydney Street.....			3
210	Miss McBriarity do.....	10 do.....			5
211	Miss Sarah Foley do.....	21 do.....			
212	Miss Mary McCarthy do.....	145 do.....			
213	Miss Jennie Eastwood do.....	112 Patrick Street.....			
214	Miss Annie Crabb do.....	Pitt Street.....			
215	Miss Annie Blackadar do.....	Union Street.....			
216	Misses McCordock do.....	Princess Street.....			3
217	Misses Keirr & Danville do.....	Ouke Street.....			2
218	Mrs. Price do.....	124 Germain Street.....			
219	Mrs. Stanton do.....	9½ Brussels Street.....			

Enterprises, Employment Force, Wages Paid, &c., &c—Continued.

Average rate of wages per week.			Hands employed in 1884.			Average rate of wages per week.			Remarks.
M.	B.	F.	M.	B.	F.	M.	B.	F.	
\$ cts.	\$ cts.	\$ cts.				\$ cts.	\$ cts.	\$ cts.	
			8	1		7 50	1 50		Started in 1881.
			1			6 00			do May 1st, 1884.
10 00		3 00	5		20	10 00		3 00	
7 00		4 00	1		4	7 00		4 00	
8 00		3 50	1		6	8 00		3 50	
			2		15	15 00		4 50	Started April, 1882.
7 50		4 50			2			3 50	
10 00		3 00	2		18	10 00		3 00	
9 50		2 50	8		77	9 50		2 50	
7 00		2 75	4		80	7 00		2 75	
9 00		2 00	1		2	9 00		2 00	
			1	1	1	10 00	3 00	3 00	Started July, 1880.
7 00	2 50	3 00	6	3	9	7 00	2 50	3 00	
9 00	3 00		2	1		7 50	4 00		
8 00		2 50	1			8 00			
10 00	3 00	4 00	1	1	2	10 00	3 00	4 00	
			3	1	1	9 50	2 00	2 50	Started November, 1882.
9 00	3 00		10	6		9 00	3 00		
8 00	3 00		2			8 00			Recor & Keithlin in 1878.
7 00			2			7 00			
12 00		6 00	2		8	12 00		6 00	
12 00		4 00							
			2	1		8 00	3 00		
			3	2	5	10 00	1 50	2 00	
9 00			4	6	14	10 00	4 00	2 50	
9 50	3 00		6	1		9 00	3 00		In 1878 wages ranged from \$24, \$12 to \$9, \$8 and \$6; in 1884 from \$12 to \$6.
									Started May, 1884.
			1		1	9 00		2 00	
10 00			1			7 00			
9 00									Went to Western States in 1881; since returned and now working with C. E. Burnham & Sons.
8 00			2			8 00			Started February, 1882.
			3			6 00			
9 00		3 00	2		2	9 00		3 00	
8 00			1			8 00			
9 00	2 00		2	2		9 00	2 00		
			52		59	4 85		4 85	Average per head, M. and F., for week ending 23rd July, \$4.85.
		3 00			22			4 00	Wages range from \$2 to \$5. In 1878 had four apprentices; in 1884, three.
		2 00			3			5 00	Started in 1882. Burned out in 1877.
					3			2 50	do in 1890. Has two apprentices.
					1			4 00	do May, 1881. Has two do
					7			3 00	do Dec., 1882. Has three do
					5			3 00	
		3 50			3			4 00	
		3 00			9			2 00	Two apprentices at each period.
					8			2 50	Started in 1879. Has two apprentices.
					8			2 00	do Aug., 1881.
					1			3 00	do May, 1881. Has one apprentice.
					2			4 00	do 1883.
					3			3 50	do January, 1881.
					3			3 00	
		3 00			3			4 00	Have one apprentice.
		3 00			4			3 00	Started Jan., 1881. Has three apprentices
					2			4 00	do spring of 1883.



## TABULAR STATEMENT giving Designation of Manufacturing

No.	Name and Industry.	Location.	Hands employed in 1878.		
			M.	E.	F.
St. John City—Continued.					
220	Mrs. Courtney, dress and mantle maker.....	301 Brussels Street.....			
221	Misses Simonds & Clark do and milliners.....	South side King's Square.....			
222	C. M. & F. A. Godsol, Dentists.....	Princess Street, cor. Sydney...			
223	Dr. McAvenney do .....	Cor. Charlotte and Horsfield Streets .....	1		
224	Dr. J. C. & Canby Hatheway, Dentists.....	Sydney Street .....	2		
225	Dr. Colwell, Dentist.....	King Street.....	1		
226	Dr. Griffiths do .....	Dorchester Street.....	1		
227	C. E. Brackett, dye works.....	94 Princess Street.....			
228	H. F. Gould, American dye works.....	South side King's Square.....	3	2	2
229	James Kelly, dyer and clothes cleaner.....	55 Patrick Street.....			
230	J. H. Venning, engraver.....	77 Princess Street.....	1		
231	R. H. Green do lithographer and cop- per plate printer .....	122 Germain Street.....	1	1	
232	C. H. Flewelling, engraver and printer....	36 King Street.....	3		
233	A. J. Lordly & Son, furniture factory....	Main Street.....			
234	do do wareroom .....	93 Germain Street.....			
235	J. & J. D. Howe do factory.....	Union Street; warerooms Mar- ket Building.....	13	7	
236	Knox & Thompson do do .....	96 Princess Street.....	14		
237	C. E. Burnham & Sons do do .....	83 and 85 Charlotte Street; fac- tory, Celebration, Portland...	25	15	
238	Stewart & White do do .....	93 and 97 Charlotte Street.....	8		
239	Miss A. Longley, fancy work and materials..	Germain Street .....			
240	Mrs. Lee do stamping.....	102 Princess Street.....			1
241	Mrs. H. M. Dixon do do .....	120 Charlotte Street.....			1
242	Mrs. Jos. Duffell do plain.....	137 Princess Street.....			
243	W. H. Jones, florist.....	18 Germain Street.....	2	1	2
244	Matthew McQuiggan, fisherman—drift....	Britain Street.....	2		
245	Jos. Murphy do .....	do .....	2		
246	Thos. Mills do .....	Main Street .....	2		
247	John Oregan do .....	Sydney Street.....	2		
248	Patrick Dawson do .....	York Point .....	4		
249	Dawson & Currie do .....	do .....	2		
250	Patrick McCreedy do .....	do .....	2		
251	Jas. Curran do .....	do .....	2		
252	Geo. McArthur do .....	do .....	2		
253	Arch'd. Rice, fisherman—schooner and drift..	Britain Street.....	3		
254	Thos. Evans do do .....	St. James Street .....	3		
255	Thos. Burns do herring.....	Britain Street.....			
256	Jos. Howard do do and drift....	Main Street.....			
257	Wm. Black, fish market.....	Market Building.....	3		
258	Jas. Patterson do .....	do .....	2		
259	Jacob Wilson do .....	Sydney Street .....			
260	Joseph Dalzell, fishing tackle manf.....	57 Germain Street.....	1		
261	Chas. Baillie do .....	89 Charlotte Street.....	2		
262	D. Scribner & Sons do and rod- maker.....	Cor. Sydney Street and King's Square.....	2		
263	Jas. Dalzell, fishing tackle manf. and rod- maker.....	Germain Street.....	5		
264	Wm. E. Everett, foundry.....	Brussels Street.....	15		
265	Armstrong Bros., vulcan foundry.....	Main Street, near Charlotte....	9	3	
266	John Smith, founder and machinery manf....	St. David's Street .....	9	3	
267	G. L. Young, fish curer.....	Young's Wharf, Britain Street..			
268	James Griffiths, galvanized iron worker.....	Cor. Erin and Brunswick Streets.	20		
269	James McDade do tin and copper- smith.....	Mill Street.....	23	2	
270	David Brown, harness maker.....	9 Charlotte Street.....	9		
271	Thomas Finlay do .....	15 do .....	6	1	
272	McAvinn & Rickham do .....	34 do .....			

## Enterprises, Employment Force, Wages Paid, &amp;c., &amp;c—Continued.

Average rate of wages per week.			Handsemployed in 1884.			Average rate of wages per week.			Remarks.
M.	B.	F.	M.	B.	F.	M.	B.	F.	
\$ cts.	\$ cts.	\$ cts.				\$ cts	\$ cts.	\$ cts.	
.....	.....	.....	.....	.....	1	.....	.....	3 00	Started in fall of 1883.
.....	.....	.....	.....	.....	2	.....	.....	4 00	do 1884. Have 3 apprentices.
.....	.....	.....	3	.....	.....	10 00	.....	.....	do May, 1884.
15 00	.....	.....	2	.....	.....	15 00	.....	.....	
15 00	.....	.....	2	.....	.....	15 00	.....	.....	
15 00	.....	.....	.....	.....	.....	.....	.....	.....	Left for Halifax in spring of 1884.
15 00	.....	.....	1	.....	.....	15 00	.....	.....	
8 00	2 50	4 00	2	.....	2	12 00	.....	3 00	Started in 1881.
.....	.....	.....	4	2	4	9 00	3 50	5 00	
.....	.....	.....	1	.....	.....	10 00	.....	.....	do July, 1884.
10 00	.....	.....	1	.....	.....	10 00	.....	.....	
15 00	1 50	.....	1	3	.....	20 00	4 00	.....	
9 00	.....	.....	3	.....	1	13 00	.....	6 00	
.....	.....	.....	6	4	.....	8 00	2 00	.....	} Established 1879.
.....	.....	.....	5	3	.....	9 00	3 00	.....	
8 00	2 50	.....	17	9	.....	9 00	2 50	.....	Started May, 1878.
8 00	.....	.....	4	.....	.....	8 00	.....	.....	
10 00	2 50	.....	8	7	.....	9 00	2 50	.....	
10 00	.....	.....	16	.....	.....	10 50	.....	.....	
.....	.....	.....	.....	.....	2	.....	.....	2 00	Started May 10th, 1882.
.....	6 00	.....	.....	.....	1	.....	.....	6 00	
.....	3 50	.....	.....	.....	1	.....	.....	3 00	
.....	.....	.....	.....	.....	1	.....	.....	2 00	Started in 1883.
7 50	2 00	7 00	2	1	2	7 50	2 00	7 00	
6 00	.....	.....	1	.....	.....	6 00	.....	.....	
6 00	.....	.....	2	.....	.....	6 00	.....	.....	
6 00	.....	.....	2	.....	.....	6 00	.....	.....	
6 00	.....	.....	2	.....	.....	6 00	.....	.....	
6 00	.....	.....	4	.....	.....	6 00	.....	.....	
6 00	.....	.....	2	.....	.....	6 00	.....	.....	
6 00	.....	.....	2	.....	.....	6 00	.....	.....	
6 00	.....	.....	2	.....	.....	6 00	.....	.....	
6 00	.....	.....	2	.....	.....	6 00	.....	.....	
10 00	.....	.....	3	.....	.....	10 00	.....	.....	
10 00	.....	.....	3	.....	.....	10 00	.....	.....	
.....	.....	.....	3	.....	.....	10 00	.....	.....	Started in 1882.
.....	.....	.....	3	.....	.....	10 00	.....	.....	do 1883.
7 00	.....	.....	3	.....	.....	8 00	.....	.....	
7 00	.....	.....	2	.....	.....	8 00	.....	.....	
.....	.....	.....	1	2	.....	8 00	1 67	.....	
12 00	.....	.....	1	1	.....	12 00	1 50	.....	
9 00	.....	.....	2	.....	.....	9 00	.....	.....	
.....	.....	.....	.....	.....	.....	.....	.....	.....	
15 00	.....	.....	2	.....	.....	15 00	.....	.....	
9 00	.....	.....	1	.....	.....	9 00	.....	.....	
7 50	.....	.....	.....	.....	.....	.....	.....	.....	Died in 1879.
9 00	1 75	.....	4	3	.....	9 00	1 75	.....	
8 00	3 00	.....	5	.....	.....	8 00	.....	.....	
.....	.....	.....	8	.....	.....	8 00	.....	.....	Started in spring of 1880 as Young & Noble. Dissolved June, 1882. Started as G. L. Young in August, 1882.
15 00	.....	.....	2	.....	.....	9 00	.....	.....	
9 50	4 00	.....	8	2	.....	10 00	4 00	.....	
8 00	.....	.....	5	.....	.....	8 00	.....	.....	
8 00	2 50	.....	3	2	.....	8 00	2 00	.....	
.....	.....	.....	2	1	.....	9 00	4 00	.....	Started May 1, 1881.



## TABULAR STATEMENT, giving Designation of Manufacturing

No.	Name and Industry.	Location.	Hands employed in 1878.*		
			M.	B.	F.
St. John City—Continued.					
273	William Robb, harness maker .....	204 Union Street.....	4	3	
274	Donald McInnis do .....	122 Brussels Street .....			
275	John Allingham do and saddle maker .....	18 Charlotte Street.....	1	1	
276	Henry Horton do and saddlery hardware .....	76 do .....	1		
277	John Bond do and collar maker .....	Marsh Bridge .....			
278	Darsley Bros., hatters .....	38 King Street.....	3	1	2
279	Robert Magee do .....	71 do .....	1	1	
280	D. Magee's Sons do and furriers .....	5 Market Square .....	2	2	4
281	Thorne Bros. do do .....	93 King Street .....	1		4
282	Mauks & Co do do .....	57 do .....			
283	C. & E. Everett do do .....	do .....	3	1	9
284	J. W. Ramsdell, hair worker and manufacturer of human hair goods .....	65 Charlotte Street.....			
285	Kate Hennessey, ladies' hair worker.....	72 Mill Street .....			
286	James Hegan, horseshoe factory. ....	Germain Street.....	3		
287	J. Pender, horsenail factory.....	Nelson Street.....	5	3	
288	William Lewis, Lower Cove iron works. ....	Britain Street.....	12		
289	James Griffiths, iron knee factory.....	St. David's Street.....	15	5	
290	R. Law, ice dealer and cutter.....	North Market Street .....	10		
291	Israel Longley, joiner, house and ship .....	St. James Street.....	16		
292	A. G. Smith, jeweller .....	77 Princess Street.....	1		
293	Manchester, Robertson & Allison, laundry....	King Street .....			
294	J. & M. Ungar, steam laundry .....	26 and 32 Waterloo Street.....			
295	A. Hunter, locksmith and bellhanger.....	9 Waterloo Street.....			
296	Jas. Hunter do do & gunsmith .....	88 Princess Street.....	4		
297	Maritime lead and saw works .....	Sheffield, corner Charlotte ; office, 37 Dock .....			
298	L. D. Clarke & T. H. G. Koschurtz, Maritime Steam Lithograph Co.....	Dock Street.....	6		
299	James Clarke & Son, last factory .....	Patrick and Brussels Streets....	3	2	
300	Mrs. Connolly, milliner.....	Germain Street.....			5
301	Mrs. J. D. McLean do .....	do .....			2
302	Mrs. J. Benson do .....	King Street.....			3
303	Mrs. Anderson do .....	Brussels Street.....			
304	Miss Sharp do .....	Germain Street .....			1
305	Miss Kate Sullivan do .....	122 Charlotte Street .....			2
306	Miss Willet do .....	231 Union Street.....			3
307	Miss Breen do .....	Brussels Street.....			
308	Miss Jane Brown do .....	Princess Street.....			3
309	P. C. Redmond do .....	177 Union Street.....			7
310	J. B. LeBlanc do .....	70 King Street.....			
311	Chas. K. Cameron do .....	do .....		1	8
312	Duncan Bros. do .....	276 Brussels Street.....			
313	Mrs. Crump do and mantle maker.....	Sydney Street .....			4
314	Manchester, Robertson & Allison, milliners and mantle makers .....	King Street.....			4
315	Jas. Manson, milliner, dress and mantle maker .....	12 do .....			20
316	Thomas Nash, mineral and soda waters, lager and ginger beers .....	28 Dock Street.....	7		
317	John Ready do do .....	97 & 99 Union Street; brewery in Fairville .....	10		
318	E. Banfill, machinist.....	43 Dock Street .....	5	1	
319	W. F. & J. M. Meyers do .....	34 and 40 Waterloo Street.....	12	4	
320	Abrams & Kerr do .....	City Road .....	9	4	
321	Geo. Fleming & Sons do and builders .....	Pond Street.....	55	5	
322	John S. Seaton, marble works.....	84 Charlotte Street.....	3		
323	R. R. & R. A. McNamee do and granite .....	137 and 139 Princess Street.....	2		
324	S. P. Osgood do do .....	South side King's Square .....	30	1	

Enterprises, Employment Force, Wages Paid, &c., &c.—*Continued.*

Average rate of wages per week.			Hands employed in 1884.			Average rate of wages per week.			Remarks.
M.	B.	F.	M.	B.	F.	M.	B.	F.	
\$ cts.	\$ cts.	\$ cts.				\$ cts.	\$ cts.	\$ cts.	
8 00	2 00	.....	2	3	.....	8 00	2 00	.....	Started May, 1883.
8 00	1 75	.....	2	.....	.....	8 00	.....	.....	
8 00	.....	.....	4	1	.....	8 00	1 75	.....	
8 00	.....	.....	1	.....	.....	8 00	.....	.....	do do 1881.
14 00	2 00	2 50	1	1	.....	8 00	3 00	.....	
12 00	1 50	.....	3	1	1	14 00	2 00	2 50	
10 00	2 00	4 00	2	2	.....	8 00	2 00	.....	do March, 1883.
7 00	.....	2 50	2	1	3	10 00	2 00	4 00	
16 00	6 00	5 00	1	.....	4	7 00	.....	2 50	
.....	.....	.....	1	2	3	12 00	1 75	3 50	do do 1881.
.....	.....	.....	3	1	9	16 00	7 00	5 00	
.....	.....	.....	.....	.....	7	.....	.....	3 00	
8 00	.....	.....	.....	.....	2	.....	.....	6 00	do 1880.
9 00	3 00	.....	3	.....	.....	8 00	.....	.....	
.....	.....	.....	9	4	.....	8 00	3 00	.....	
7 80	.....	.....	12	.....	.....	9 30	.....	.....	In 1878 blacksmiths got \$9.60 per wk. do helpers 6.00 do In 1884 blacksmiths 12 00 do do helpers 6.60 do
10 00	4 50	.....	7	4	.....	7 20	3 60	.....	
6 00	.....	.....	20	.....	.....	7 00	.....	.....	
10 00	.....	.....	5	.....	.....	10 00	.....	.....	Formerly Jones & Emery.
7 00	.....	.....	1	.....	.....	7 00	.....	.....	
.....	.....	.....	.....	.....	4	.....	.....	4 00	
.....	.....	.....	2	1	20	8 00	3 00	4 00	Started October, 1881.
.....	.....	.....	1	1	.....	9 00	1 50	.....	
9 00	.....	.....	2	1	.....	9 00	4 00	.....	
.....	.....	.....	14	3	.....	14 00	4 00	.....	do May, 1883.
10 00	.....	.....	11	4	.....	11 00	4 00	.....	
12 00	4 00	.....	3	2	.....	12 00	4 50	.....	
.....	10 00	.....	.....	.....	5	.....	.....	10 00	Sharp & Co, in 1878.
.....	3 00	.....	.....	.....	2	.....	.....	3 00	
.....	4 00	.....	.....	.....	3	.....	.....	4 00	
.....	4 00	.....	.....	.....	2	.....	.....	2 50	Started in 1879.
.....	2 00	.....	.....	.....	1	.....	.....	3 00	
.....	4 00	.....	.....	.....	2	.....	.....	2 00	
.....	.....	.....	.....	.....	3	.....	.....	5 00	Has now one apprentice.
.....	3 00	.....	.....	.....	2	.....	.....	3 50	
.....	4 30	.....	.....	.....	1	.....	.....	3 00	
.....	.....	.....	.....	.....	5	.....	.....	9 00	Started in 1880.
.....	1 50	3 50	.....	1	7	.....	2 00	4 00	
.....	.....	.....	.....	.....	1	.....	.....	4 50	
.....	3 00	.....	.....	.....	4	.....	.....	2 50	Started May, 1884.
.....	.....	.....	.....	.....	.....	.....	.....	3 50	
.....	4 00	.....	.....	.....	15	.....	.....	4 00	
.....	5 00	.....	.....	.....	10	.....	.....	5 00	Brewery started in 1879.
9 40	.....	.....	7	1	.....	9 50	3 00	.....	
8 00	.....	.....	14	.....	.....	8 00	.....	.....	
10 50	2 00	.....	5	1	.....	10 50	2 00	.....	Been in business for self since 1879.
9 00	3 00	.....	6	4	.....	9 00	3 00	.....	
7 50	2 00	.....	.....	.....	.....	.....	.....	.....	
6 50	3 50	.....	50	12	.....	6 50	2 50	.....	
9 50	.....	.....	3	.....	.....	9 50	.....	.....	
8 00	.....	.....	2	.....	.....	8 00	.....	.....	
10 00	2 50	.....	6	2	.....	10 00	2 50	.....	



## TABULAR STATEMENT giving Designation of Manufacturing

No.	Name and Industry.	Location.	Hands employed in 1878.		
			M.	B.	F.
St. John City—Continued.					
325	S. R. Foster & Sons, nail and tack makers.....	13 and 19 George Street.....	25	8	2
326	E. R. Moore & Co do and spike makers.....	94 and 136 Mill Street.....	45	5	
327	Levi Young, nut and bolt works and carriage factory.....	Waterloo Street.....	15	5	
328	F. A. Peters, church organ factory.....	Union Street, cor. Wentworth.			
329	Bell Bros, painters.....	Britain Street.....	5		
330	Jas. Stewart do .....	183 Charlotte Street.....	4		
331	J. H. Rogers do .....	19 Union Street.....	4		
332	Wm. Mercer do .....	Patrick Street.....			
333	C. H. Hay do .....	207 King Street.....	2		
334	John Johnston do .....	99 Princess Street.....	8		
335	J. H. Pullen do .....	Horsefield Street.....	36	1	
336	Kelly & Magee do .....	Waterloo Street.....			
337	A. D. Blakslee & Son do .....	do .....	5		
338	Robert S. Craig do .....	142 Princess Street.....			
339	Blakslee & Whitenect do .....	Germain Street.....	6	1	
340	D. M. Ring do sign.....	Cor. Canterbury and Church Streets.....			
341	J. H. Sullivan do do .....	Union Street.....	3		
342	Wm. E. Moore do do .....	13 Charlotte Street.....	2		
343	Osgood Isbister do do .....	Leinster Street.....	3	3	
344	Francis Swift do .....	35 Waterloo Street.....			
345	John H. Leah do .....	129 King Street, East.....	18		
346	Geo. T. Whitenect do .....	261 and 263 Union Street.....			
347	James Richey do .....	82 Charlotte Street.....	3		
348	Boyd & Co. do .....	do .....	6		
349	T. H. Lynn do .....	Cor. Sydney Street and King's Square .....	7		
350	Nielson Bros. do .....	31½ Waterloo Street.....	7		
351	G. F. Thompson & Son, paint manfs. ....	139 and 141 Princess Street.....	12		
352	Robert McIntyre do .....	Sydney Street .....	2		
353	Thomas Campbell, plumber and gasfitter.....	Germain Street.....	7		
354	Geo. Blake do .....	177 Union Street.....	25	15	
355	Joseph Tole do .....	South side King's Square.....			
356	J. H. Doody do .....	39 Dock Street.....	9	3	
357	Michael Danaher do .....	20 Church Street.....			
358	David Carroll do .....	Germain Street.....	3	2	
359	Archibald Rowan do .....	Union Street.....	7		
360	Henry Dunbrack do .....	70 Princess Street.....	10	6	
361	John Fitzgerald do and steam heater.....	5 Mill Street .....			
362	Campbell & Ellis, plumbers, gasfitters, steam heaters, tin and metal workers.....	87 Prince William Street .....	12	3	
363	J. S. Clume, photographers.....	Germain Street.....	3		3
364	W. & J. Notman do .....	54 Princess Street.....	5		1
365	W. Bruckhof & Co. do .....	76 Charlotte Street.....			
366	I. Erb do .....	13 do .....	2		
367	J. R. McLean do .....	34 do .....			
368	C. A. Conlon do .....	101 King Street.....	2		
369	G. E. Kenney, piano manf .....	South side King's Square .....	1		
370	A. T. Bustin do .....	Germain Street.....	1		
371	G. R. Bent, piano and organ manf.....	66 King Street.....	4		
372	E. J. Armstrong, job printer .....	Germain Street.....	2	1	
373	"Visitor" Printing Co.....	do .....	2	4	2
374	Geo. A. Knodell, job printer .....	Church Street.....	4	5	
375	Roger Hunter, Franklin Printing Co.....	Prince William Street.....	1	4	
376	Geo. W. Day, job printer.....	do .....	16	3	
377	"Globe" Printing Co.....	do .....	22	5	
78	"Telegraph" do .....	Canterbury Street.....	27	4	
			5		

## Enterprises, Employment Force, Wages Paid, &amp;c., &amp;c.—Continued.

Average rate of wages per week.			Hands employed in 1884.			Average rate of wages per week.			Remarks.
M.	B.	F.	M.	B.	F.	M.	B.	F.	
\$ cts.	\$ cts.	\$ cts.				\$ cts.	\$ cts.	\$ cts.	
9 00	3 50	3 50	26	8	2	9 00	3 50	4 50	Wages of men range from \$15 to \$8.
5 50	3 00		77	6		7 50	3 50		Merged in St. John nut and bolt works in 1881.
9 00	2 00								
9 00			4	1		10 50	3 00		
9 00			6	1		12 00	2 50		
9 00			2			9 00			
9 00			4			12 00			Employed about 9 months of year.
			1			12 00			
9 00			1			12 00			
10 00			7			12 00			
10 50	3 00		9	2		10 50	3 00		
			4			10 00			Started in 1883.
9 00			2			12 00			
			8	2		12 00	2 50		
8 00	2 00								
			1	1		10 00	2 00		do 1879.
9 00			1			12 00			
12 00			1			12 00			
9 00	3 00								Went to Boston in fall of 1881.
			1			12 00			
8 00			4			9 00			
			10	1		10 00	5 50		Started for self in 1883. Formerly Blaks- lee & Whitenect, and Whitenect & Everett.
12 00			2			12 00			
9 00			3			12 00			
9 00			3			12 00			Work averages two-thirds of year.
8 00			5			9 00			
7 50			2			6 00			
7 00			2			8 00			
10 00			5			10 00			
15 00	3 00		7	4		11 00	3 00		
			1	2		10 00	3 00		Started in 1882. In business with Doody in 1878.
10 00	2 50		5	2		10 00	2 00		Doody & Tole in 1878.
			1	2		10 00	1 25		Started Oct., 1881.
7 50	2 50								Stopped several years ago.
9 60									do 1880.
15 00	2 00		5	4		10 00	2 00		
			4	1		9 00	1 50		Started in June, 1882.
8 00	2 50		9	3		9 00	2 50		
8 00		3 00	2		2	5 00		3 00	Bowes, Campbell & Ellis in 1878.
12 00		10 00	2		2	12 00		10 00	
			2	2		15 00	5 00		Started in February, 1882.
9 00			1	2		9 00	4 00		Formerly Erb & Cameron.
			1		1	7 00		2 00	Started in 1880.
8 00			2			8 00			
9 00			1			9 00			
8 00			1			8 00			
9 50			2			9 50			
8 00	1 50		2	1		9 00	2 50		
8 00	2 00	2 50	3	5	3	8 00	2 50	3 80	
7 50	3 90		1	5		10 00	3 00		
12 00	3 10		1	4		12 00	2 50		
9 00	2 50		2	2		9 00	2 00		
9 00	2 50		22	5		9 00	2 50		
9 50	2 50		27	4		9 50	2 50		
13 00			5			13 00			



## TABULAR STATEMENT giving Designation of Manufacturing

No.	Name and Industry.	Location.	Hands employed in 1878.		
			M.	B.	F.
St. John City—Continued.					
379	"Sun" Printing Co.....	Canterbury Street .....			
380	"News" do .....	do .....	18	13	
381	Fred. W. Grice, picture frame maker.....	65 Brussels Street.....			
382	R. Pepper & Co. do and re- poussé work in brass.....	Germain Street.....			
383	Thos. H. Keohan, picture framer, looking glass maker and gilder.....	70 Germain Street.....	4		
384	F. and S. L. Gorbell, picture frames and fancy woodwork.....	207 Union Street.....	1	1	
385	W. Bruckhof, picture frames and mouldings...	52 King Street.....	3		
386	T. B. Barker & Sons, patent medicine manfa.	35 King Street.....			2
387	Connor & Dinsmore, patent medicines and Sharp's cough balsam.....	Haymarket Square.....			
388	Jas. Hunter & Co., gold, silver and nickel- platers.....	88 Princess Street.....			
389	Wm. Hillman & Co., gold, silver and nickel- platers.....	242 Union Street.....	2	2	
390	Brown & Leetch, New Dominion Paper Bag Co	221 Union Street & 10 Waterloo.			
391	Chas. L. Nelson, paper and paper bag manf..	73 Prince William Street.....	4		10
392	O. S. Odell, paper box manf. ....	36 Dock Street.....		1	11
393	Geo. F. Simonson do .....	36 King Street.....			
394	Jas. T. Magee, roofer.....	City Road .....	6		
395	C. A. Clark, refrigerator manf.....	34 and 36 Dock Street.....			
396	Samuel Dunlop, rigger.....	Fairweather's Wharf.....	6		
397	David Dearness do .....	do .....	6		
398	Samuel Dixon do .....	do .....	5		
399	James Cassely do .....	Magee's Wharf .....	14		
400	Wm. Finn do .....	Custom House Wharf.....	10		
401	Alex. Long do .....	Leavitt's Wharf.....			
402	John Eagan do .....	do .....	10		
403	G. G. Carey, rubber stamp maker and job printer.....	21 Sydney Street.....			
404	A. Stewart & Co., soap manf. (steam).....	Germain Street.....	7		
405	Wm. Logan do do .....	290 and 292 Union Street.....			
406	J. R. McFarlane do .....	61 Queen Street.....	5		
407	Coll Bros. do .....	66 Mill Street.....	6		
408	James Leahy do .....	237 Brussels Street.....			
409	James A. Foley do .....	308 do .....			
410	British Manf. Co., Globe London soap powder	129 Princess Street.....			
411	A. G. Bowes & Co., stove and tinware manf.	Canterbury Street.....	8		
412	McRoberts & Crawford do .....	169 Union Street.....			
413	Coles & Parsons do .....	33 Britain Street.....			
414	Emerson & Fisher do and mantel manf.....	Prince William Street.....	5	4	
415	Jas. W. Lee, stoves, tinware and plumbing...	100 Princess Street.....	4	3	
416	Adam Young, manager Stove Manf. Co.....	81 Prince William Street.....	20	3	
417	Patrick Flaherty, stove repairer.....	Brussels Street.....	1	5	
418	Jos. K. Dunlop, shipbuilder.....	Albion Street, Courtenay Bay...	27		
419	John Fraser do .....	Courtenay Bay.....	111	3	
420	John C. Ferguson do .....	do .....			
421	Stewart & Ritchie do .....	Marsh Bridge.....	40		
422	John A. Ruddock do and block repairer	Britain Street.....	20		
423	Walter Wilson, saw manufacturer.....	33 Union Street.....	4	1	
424	J. F. Lawton do .....	Cor. George and North Streets	5	1	
425	W. A. Honeywill, saw filer.....	234 Union Street.....	4		
426	Charles Carr do .....	47 Brussels Street.....			
427	T. Willis, saw filer and fishing tackle manf..	Clarence Street.....	1		
428	Wm. H. Brown, shipsmith.....	35 Nelson Street.....	8		
429	P. & J. Campbell do .....	Smyth Street .....	6		
430	Christopher Gleason do and general jobber	Ward Street.....	8		

## Enterprises, Employment Force, Wages Paid, &amp;c., &amp;c.—Continued.

Average rate of wages per week.			Hands employed in 1884.			Average rate of wages per week.			Remarks.
M.	B.	F.	M.	B.	F.	M.	B.	F.	
\$ cts.	\$ cts.	\$ cts.				\$ cts.	\$ cts.	\$ cts.	
10 90	2 40		29	6		10 00	2 50		Started July, 1878.
			14	9		8 35	2 40		Suspended April 8th, 1884.
			3			9 00			Started April 10th, 1883.
			1			12 00			Started May, 1884.
10 00			1			10 00			
12 00	1 50		3	1		11 00	2 00		Started in 1878 by S. L. Gorbell. F.
7 00			3			7 00			Gorbell entered firm in 1883.
		3 00			5			3 00	
			1	2		7 00	2 00		
			1	1		10 00	2 50		Started April, 1884.
15 00	2 00		2	2		9 00	1 50		
			3		11	8 00		2 00	Started August, 1881.
6 00		3 00	32	6	15	7 00	4 00	3 00	
			4			10 00			
	2 00	2 75		1	12		1 50	2 75	
			2	1	9	9 00	2 00	3 00	Started March, 1881.
8 00			6			8 00			
			3			9 00			Started in 1880.
15 00			2			15 00			
12 00			6			15 00			
12 00									
15 00			12			15 00			
12 00			6			15 00			
			5			10 00			Started in 1883.
9 00									Stopped in 1883.
			1	1		10 00	1 00		Started May, 1879.
7 00			4			7 00			Logan & Stewart in 1878.
			6			9 00			Started in 1880.
7 00			2			6 00			
6 00			6			6 00			
			2			10 00			Started in 1879.
			1			8 00			do October, 1882.
			4	1	12	13 00	1 50	2 00	do May 1st, 1884.
7 00			6			8 00			
			5	5		8 00	2 50		Started in 1880.
			2			9 00			do May 1st, 1884.
7 50	2 50		14	8		11 50	2 00		
10 00	2 50		3	2		10 00	2 50		
8 00	2 00		6	3		8 00	2 00		Business conducted by Mr. Young in
9 00	5 00		1			7 00			1878.
9 68			15			7 20			
7 20	3 60		78			8 10			
			20			8 40			
7 00			56			8 50			
12 00			61			15 00			
7 50	3 00		3			7 50			
9 00	3 00		3			9 00			
9 00			2			7 00			Work for 4 about 4 months in 1878; bal-
									ance of year work for 2.
			1			7 50			Started November, 1881.
6 00			1			6 00			
8 25			7			7 25			
6 00			6			7 00			
9 00			4			12 00			



## TABULAR STATEMENT giving Designation of Manufacturing

No.	Name and Industry.	Location.	Hands employed in 1878.		
			M.	B.	F.
St. John City—Continued.					
431	Henry Rubins, shipsmith and galvanizer. ...	Johnston's Wharf.....	8		
432	Haley Bros. & Co., sash, door and blind manufacturers, and planing and moulding mill	Main Street, near Charlotte St.	15	8	
433	Scott & Lawton do do ...	311 to 317 Union Street.....	26	4	
434	A. Christie & Co. do do ...	11 Waterloo Street .....	90	10	
435	Harrison & Peters, stone mill .....	Britain Street.....	100		
436	Richard J. Foxwell, stonecutter .....	Charlotte Street .....	5		
437	Kane & McInerney do .....	118 to 136 Waterloo Street ...	9	2	
438	R. H. Flaherty & Co., safe manufacturers....	City Road.....	† 1 6		3
439	H. F. Iddiols, safe, vault, door, &c., manfs...	17 and 19 Waterloo Street.....			
440	Luke Brown, sail maker ...	Ward Street .....	4		
441	Robert Leonard do .....	McLeod's Wharf.....	5	2	
442	R. H. B. Tennant, shirt manf. ....	48 King Street.....	1	2	9
443	Manchester, Robertson & Allison, shirt manf.	do .....			
444	Wm. Campbell, spring, axle and edge tool manf .....	18 and 20 Smyth Street.....	8	2	
445	W. H. Fairall, seamless stocking manf. Co...	Union Street .....			
446	John Dean, sausage maker .....	Brussels Street.....	4		
447	F. A. King, saw and planing mill .....	Marsh Bridge.....	6		
448	Wisdom & Fish, steam and hot water heaters.	41 Dock Street.....			
449	Mr. Williams, spar maker .....	Charlotte Street .....	6		
450	Mrs. Fogg, seamstress .....	Princess Street .....			1
451	Robert Magee, tinsmith .....	82 Germain Street .....	7		
452	W. & R. Magee do .....	do .....	3	3	
453	George Pattison do .....	18 Church Street.....	5		
454	George Moore do .....	Smyth Street.....	3		
455	W. Cosman do and sheet iron worker	8 Sydney Street .....	5	2	
456	S. N. Knowles, trunk manufacturer.....	Germain Street .....	6	2	
457	R. O'Shaughnessy & Co. do .....	do .....			
458	W. H. Knowles do .....	90 do .....	1	2	
459	E. O'Shaughnessy do .....	97 do .....	3		
460	John J. Munroe do .....	125 and 127 Princess Street; 68 and 70 Charlotte Street ...	4	1	
461	J. H. Carnall, taxidermist .....	35 Dock Street .....	1	2	
462	P. E. Campbell do .....	21 Canterbury Street.....			
463	Chas. H. Peters, tanner .....	279 and 287 Union Street.....	25		
464	John Kimball do and wool puller.....	Kimball St.; Haymarket Square	3		
465	N. Green, tobacconist.....	Charlotte Street .....	3		
466	St. John Manufacturing Co., makers of A. W. Gray's horse-power threshing machine and Little Giant .....	Brussels Street.....			
467	John H. Butt, tailor .....	Germain Street .....	4		6
468	Andrew Gilmour do .....	do .....	9		24
469	Geo. Hamilton do .....	do .....			
470	John E. Conlon do .....	do .....			
471	John Rubins do .....	do .....			
472	John Fox do .....	do .....			8
473	W. G. Salmon do .....	13 Charlotte Street.....	2		4
474	Jas. J. Johnston do .....	9 Canterbury Street.....	3		6
475	T. & D. McGrath do .....	101 Princess Street.....			
476	James Price do .....	do cor. Germain .....	2		2
477	Jas. J. Johnston do .....	do .....	1		
478	Jas. W. Fraser do .....	223 Union Street.....	2		

\* Mechanics. † Laborers. ‡ Blacksmith.

Enterprises, Employment Force, Wages Paid, &c., &c.—Continued.

Average rate of wages per week.			Hands employed in 1884.			Average rate of wages per week.			Remarks.
M.	B.	F.	M.	B.	F.	M.	B.	F.	
\$ cts.	\$ cts.	\$ cts.				\$ cts	\$ cts.	\$ cts.	
6 00	.....	.....	6	.....	.....	7 50	.....	.....	Wills & Rubins in 1878. Started for self in spring of 1881. In 1878 carpenters got \$8; machinists, \$10; in 1884 carpenters got \$10, machinists, \$12.
9 00	4 00	.....	16	4	.....	11 00	4 00	.....	
9 00	2 50	.....	16	2	.....	9 00	2 00	.....	
12 00	2 50	.....	13	2	.....	9 00	2 00	.....	
18 00	.....	.....	57	.....	.....	18 00	.....	.....	
18 00	.....	.....	* 20	.....	.....	15 00	.....	.....	The mechanics and laborers employed on the Intercolonial Railway Station.
			† 10	.....	.....	7 50	.....	.....	
			8	.....	.....	21 00	.....	.....	
18 00	} 3 00	.....	3	4	.....	21 00	3 00	.....	
9 00		.....	.....	.....	.....	.....	.....	.....	
10 00	3 00	.....	.....	.....	.....	.....	.....	.....	Stopped in 1879 owing to business disagreement.
.....	.....	.....	5	1	.....	9 00	2 00	.....	Started January, 1881.
12 00	.....	.....	2	2	.....	12 00	3 00	.....	
9 00	1 50	.....	1	2	.....	9 00	2 00	.....	
15 00	2 00	3 00	1	2	9	15 00	4 00	3 00	
.....	.....	.....	1	.....	15	12 00	.....	3 50	
9 00	3 50	.....	12	.....	.....	8 50	.....	.....	In business with Fowler till Oct., 1879. Started April, 1883.
.....	.....	.....	4	.....	16	13 00	.....	2 25	
7 50	.....	.....	4	.....	.....	7 50	.....	.....	
6 00	.....	.....	6	.....	.....	6 00	.....	.....	
.....	.....	.....	4	.....	.....	9 00	.....	.....	Started in piping in 1880.
9 00	.....	.....	4	.....	.....	9 00	.....	.....	
.....	5 00	.....	.....	.....	1	.....	.....	5 00	
8 00	.....	.....	1	3	.....	7 00	3 00	.....	
8 00	2 50	.....	.....	.....	.....	.....	.....	.....	Merged into R. Magee in 1882.
6 30	.....	.....	1	.....	.....	7 50	.....	.....	In 1878 employed men about ½ year.
8 00	.....	.....	3	.....	.....	8 00	.....	.....	
8 00	1 50	.....	4	2	.....	8 00	1 25	.....	
12 00	1 50	.....	1	1	.....	12 00	1 50	.....	
.....	.....	.....	1	1	.....	8 00	2 50	.....	Started in May, 1883.
10 00	2 00	.....	1	2	.....	10 00	3 00	.....	
8 00	.....	.....	3	.....	.....	6 00	.....	.....	
7 00	1 50	.....	8	1	.....	7 00	1 50	.....	
12 00	2 50	.....	1	1	.....	12 00	2 50	.....	
.....	.....	.....	1	.....	.....	10 00	.....	.....	Started in 1881.
7 50	.....	.....	25	.....	.....	7 50	.....	.....	
8 40	.....	.....	5	.....	.....	14 50	.....	.....	
9 50	.....	.....	5	.....	.....	9 50	.....	.....	
.....	.....	.....	1	.....	.....	24 00	.....	.....	Started Feb., 1884, as St. John Manufacturing Co. Previously Abrams & Kerr.
.....	.....	.....	10	.....	.....	8 00	.....	.....	
9 00	3 50	.....	4	.....	6	8 00	.....	3 50	
17 00	5 00	.....	9	.....	29	17 00	.....	6 00	
.....	.....	.....	2	.....	8	10 00	.....	5 00	Started in 1881. do 1883. do 1882.
.....	.....	.....	1	.....	5	9 00	.....	3 50	
.....	.....	.....	3	.....	20	9 00	.....	5 50	
.....	3 00	.....	1	.....	6	9 00	.....	3 00	
8 00	4 00	.....	2	.....	6	9 00	.....	4 50	
9 50	2 50	.....	1	.....	4	9 50	.....	3 00	
.....	.....	.....	2	1	6	9 00	3 00	3 00	do 1883.
10 50	4 50	.....	1	.....	1	10 50	.....	4 50	
7 00	.....	.....	1	.....	.....	7 00	.....	.....	
8 00	3 00	.....	2	.....	5	8 00	.....	3 00	



## TABULAR STATEMENT giving Designation of Manufacturing

No.	Name and Industry.	Location.	Hands employed in 1878.		
			M.	B.	F.
St. John City—Continued.					
479	Jas. L. Morrison, tailor	227 Union Street			
480	J. Cullinan & Son do	202 do	3	1	
481	John C. McDonald do	182 do			
482	Jas. A. McInnis do	180 do	2		10
483	Wm. John Higgins do	182 do			
484	Beaton & Joungeclaus do	Market Square			
485	J. McNichol & Son do	do	3	1	20
486	Wm. Doherty & Co. do	71 Prince William Street	3	1	24
487	Jas. S. May do	84 do	10	2	20
488	John A. Wilson do	55 Dock Street			
489	W. Martin & Son do	13 do	3		17
490	Michael Farrell do	53 do	3		12
491	McNichol & Russell do	39 King Street	4	1	20
492	John Edgecombe do	104 do	2		8
493	J. Slater, jun. do	7 Waterloo Street	3		8
494	Giles Monarity do	76 Brussels Street			
495	M. McDonough do	North Market Street	2		5
496	Peter Sharkey & Son do and clothier	1 and 3 Market Square	5	1	40
497	John Mullin do do	Cor. Dock St. and North Wharf	8	2	16
498	F. J. Breen do do	135 Brussels Street	3		9
499	M. N. Powers, undertaker	81 Princess Street	4		
500	Patrick Fitzpatrick do	98 Waterloo Street	1		
501	Robert Wiley do	118 do	1		
502	Thos. Burke do	Princess Street	2		
503	G. Duval, umbrella and chair repairer	Brussels Street	1		
504	Robt. Henry Smith, umbrella repairer, clothes cleaner and dyer	32 Leinster Street			
505	Lawson Bros., victuallers, sausage and Bologna sausage makers	171 Brussels Street			
506	O. V. Troop, mammoth vinegar works	Pitt Street, corner Main	10		
507	Wm. McNeill, watchmaker and jeweller	Germain Street	1		
508	G. P. Staples do	199 Union Street	1		
509	L. L. Sharpe do	42 Dock Street	1	1	
510	Wm. Purchase do	22 do			
511	Richard Thompson do	Market Square	3		
512	T. L. Coughlan do	14 King Street	3		
513	A. & J. Hay do	76 do	2	1	
514	D. O. L. Warlock do	110 do	1	1	
515	G. H. Martin & Son do	97 do	2		
516	W. C. Gibson do	59 do	2		
517	Page, Smalley & Ferguson do	do	5	3	
518	D. L. Hutchison do	Charlotte Street	2		
519	Geo. Hutchison do	Prince William Street			
520	A. J. H. Bartsch do	do	1		
521	C. S. Patterson do	66 King Street			
522	W. Tremaines Gard do and goldsmith	87 do	3	1	
523	J. W. McDuffee do	79 Prince William Street	1		
524	W. H. Paterson do	57 Brussels Street	1		
525	Jas. W. Hegan, window cornice and pole manf. and carpet maker	56 King Street	3		3
526	J. M. Johnson, wool manf.	Marsh Road			
527	J. W. Harrington, blind manf.	50 King Street			
528	Geo. Nixon do	88 do			
529	E. A. Everett do	104 do			
530	R. Heans, bookbinder	109 Prince William Street	2		2
531	W. W. Dudley do	King's Square	1	1	2
532	Barnes & Co. do and printers	Prince William Street	8	2	5
533	J. & A. McMillan do do	do	13	1	4
534	Chas. A. Everett, flexible wire-bound fence manf.	King Street			

Enterprises, Employment Force, Wages Paid, &c., &c.—Continued.

Average rate of wages per week.			Hands employed in 1884.			Average rate of wages per week.			Remarks.
M.	B.	F.	M.	B.	F.	M.	B.	F.	
\$ cts.	\$ cts.	\$ cts.				\$ cts.	\$ cts.	\$ cts.	
8 00	1 50	3 50	1		4	8 00		3 00	Started in June, 1882.
6 00		3 00	3		16	9 00		4 00	
			1		4	9 00		3 00	
			1		4	9 00		3 00	
			3		5	9 00		4 50	do 1880.
12 50	1 50	6 00	4		10	10 00		5 00	do May, 1884.
12 00	2 00	5 00	3		13	11 50		3 70	
12 00	2 00	5 00	5	1	28	12 00	2 00	5 00	
			12		24	12 00		5 00	
10 00		3 00	2	1	8	10 00	2 00	5 00	do March, 1883.
7 00		3 00	5		19	10 50		4 00	
12 50	1 50	3 50	4		15	6 00		3 00	
12 00		4 50	4	1	11	12 50	1 50	3 50	
10 00		2 50	2		8	12 00		5 00	
			3		5	10 00		3 00	
10 00		4 00	1		3	12 00		3 00	do 1879.
10 00	2 00	4 00	2		3	10 00		4 00	
10 00	2 00	3 50	6	1	38	10 00	2 50	4 00	
16 00		3 50	2	1	17	10 00	1 50	3 50	
8 00			1		3	7 00		3 00	
8 00			3			8 00			
12 00			1	1		8 00	3 00		
8 00			1			12 00			
7 50			1			8 00			
			1			7 50			
			1		2	7 00		3 00	do May, 1884.
5 00			2	1		7 00	2 00		do 1879.
10 00			5			6 00			do 1868.
12 00			1			10 00			
20 00	3 00		1			12 00			
			1			20 00			
15 00			2			11 00			do 1879. In business prior to fire.
8 00			3			15 00			
14 00	7 00		3	1		8 00	2 50		
12 00	6 00		2	2		14 00	1 75		
10 00			1	1		12 00	6 00		Established June, 1844.
10 00			2			10 00			
12 00	3 00		2			10 00			
7 00			4	3		13 00	3 00		
			1			10 00			Stopped in 1880.
12 00			1			10 00			Started June, 1883.
			1			7 00			Dead.
10 00	2 00		4	1	1			5 00	Starte May, 1884.
25 00			1			10 00	2 00		
8 00			1			25 00			
			1			8 00			
10 00		6 00	2		3	10 00		6 00	
			6			8 00			Started July, 1881.
			1	1		8 00	2 50		Started at this branch in 1881.
			2			10 50			do 1881.
			1	1		6 00	1 50		Started in 1883 (continuation of Blakslee
9 00		3 00	1	2	3	9 00	3 00	3 33	& Whiteneck business, which extended
9 00	2 00	2 50							back to 1870).
7 00	1 50	3 00	8	2	4	7 00	1 50	3 00	Dead.
9 00	1 50	2 50	15	7	9	9 38	2 41	3 00	
			10			9 00			Started in 1883.



## TABULAR STATEMENT giving Designation of Manufacturing

No.	Name and Industry.	Location.	Hands employed in 1878.		
			M.	B.	F.
Carleton.					
1	C. E. Belyea, boot and shoe maker.....	King Street .....	3	3	
2	S. D. Parks do .....	Union Street.....	2		
3	Henry Gardner do .....	do .....	1		
4	Griffith Stackhouse do .....	Rodney Street.....			
5	Jas. L. Wright do .....	do .....	2	1	
6	Alward N. Harmer, boat builder .....	Prince William Street.....	10		
7	Geo. Belyea & Son do .....	Old Fort .....	2		
8	Geo. Rowley do .....	do .....	3		
9	Uriah Drake do .....	Water Street.....	1		
10	Elijah Ross do .....	Sand Point .....	1		
11	Daniel W. Clark, builder and contractor .....		30		
12	Chas. Watters do .....	Corner Duke and Watson Sts...	30		
13	Joseph McL. Vail do .....	St. James Street .....	13		
14	Jos. P. French do .....		8		
15	Jas. J. Burridge, baker .....	Prince Street .....	4		
16	Wm N. Low do .....	Guilford Street.....	1	3	
17	B. McCormack do .....	Blue Rock .....	2	1	
18	Wm. J. Cornfield do .....	King Street .....	4		
19	H. Hodges, barber.....	Union Street .....	2		
20	Geo. Carvill do .....	Rodney Street .....			
21	Timothy Donovan, butcher .....	Union Street .....	1	2	
22	Humphrey Toomey do .....	Guilford Street .....	1	2	
23	Joseph O'Brien, block repairer.....	Sand Point .....	10		
24	Andrew F. Andrews, brush maker .....	Winslow Street.....	2		2
25	Wm. Kindred, blacksmith .....		1	1	
26	W. C. R. Allan, manfg. chemist .....	King Street.....			
27	R. N. Knight do .....	do .....	2		
28	Finch & Andrews, confectioners and pastry makers.....	do .....	1	2	1
29	Miss Letitia Anderson, dressmaker.....	do .....			
30	John Sullivan, fisherman, drift.....	Navy Island.....	4		
31	Gilbert Craig do .....	Old Fort.....	1	1	
32	Lee & Irvin do .....	do .....	2		
33	James Burley do .....	do .....	1	1	
34	Daly & Trecartin do .....	do .....	2		
35	Jas. H. McCully do .....	do .....	1	1	
36	John Craig do .....	do .....	1	1	
37	Fred. Buchanan do .....	do .....	1	1	
38	Frank Nice do .....	do .....	1	1	
39	T. & H. McLeod do .....	do .....	2		
40	Henry Lord do .....	do .....	1	1	
41	Christopher Robertson do .....	do .....	2		
42	Jas. B. Lord do .....		1	1	
43	Hampton & Perkins do .....		2		
44	Joseph Hampton do .....		2		
45	Abraham Craft do .....		2		
46	Ed. Craig do .....		2		
47	Andrew Harned do .....		2		
48	Ed. Craft do .....		1	1	
49	George Lord, fisherman, weir and drift.....		2		
50	Alward Harned, fisherman, drift.....		1	1	
51	Robert Craft do .....		1	1	
52	Chas. Hamm do .....		1	1	
53	Chas. Humphrey do .....		1	1	
54	Edward Hampton do .....		2		
55	Wm. & John Avery do .....		2		
56	Isaac Craig do .....		1	1	
57	James Belyea do .....		2		
58	George Christopher do .....	Sand Point.....	2		
59	John Fawcett do .....	do .....	2		
60	Andrew Hamm do .....	do .....	2		
61	Edward Toole do .....	do .....	2		





## TABULAR STATEMENT giving Designation of Manufacturing

No	Name and Industry.	Location.	Hands employed in 1878.		
			M.	B.	F.
Carleton—Continued.					
62	George Fawcett, fisherman, drift.....	Sand Point.....	2		
63	Robert Fawcett do .....	do .....	2		
64	John Toole do .....	do .....	2		
65	George Clark do .....	do .....	2		
66	Elijah Toole do .....	do .....	2		
67	Lee Brothers do .....	do .....	2		
68	Wm. Lord do .....	do .....	2		
69	Amos & Lanergan do .....	do .....	2		
70	Toole & Shoebridge do .....	do .....	2		
71	George & J. Cabbam do .....	do .....	2		
72	Wm. Clark do .....	do .....	2		
73	Mr. Lambert do .....	do .....	2		
74	John Hasson do .....	do .....	2		
75	Daniel Toole do .....	do .....	2		
76	James McGinnis do .....	do .....	2		
77	George Sullivan do .....	Navy Island.....	2		
78	Andrew Lamreaux do .....	do .....	2		
79	James Lilley do .....	do .....	2		
80	James W. Belyea, fisherman, weir and drift..	do .....	2		
81	Samuel W. Belyea do do .....	do .....	4		
82	John Belyea do do .....	do .....	2		
83	R. T. Brittain & Son, fishermen, weir.....	Old Fort .....	2		
84	James A. Stackhouse do .....	do .....	2		
85	Ira D. Nice do .....	do .....	2		
86	Andrew Belyea do .....	Navy Island.....	2		
87	Wm. Belyea do .....	do .....	2		
88	John Christopher do .....	do .....	2		
89	George L. Abrams do .....	Sand Point .....	3	3	
90	Wm & Levi Colwell, fishermen, drift & weir.	do .....	2		
91	James Lord do do .....	do .....	2		
92	Belyea Brothers do seine .....	do .....	3		
93	Geo. Abrams, dealer and weir fisherman .....	do .....	3		
94	E. B. Colwell, fish dealer .....	do .....	8		
95	Allan Brothers, foundry .....	Union Street .....	36	7	
96	N. B. Red Granite Works .....	do .....	{ 48		
			{ 7	at St. George	
97	Hayford & Stetson, lumber & shingle factory.	King Street.....			
98	Misses Fitzgerald, milliners .....	do .....			
99	Rachel Hickson do .....	do .....			
100	I. S. Johnson & Co., patent medicine manuf..	Rodney Street .....	1		3
101	John D. Devoe, pottery manufacturer .....	do .....	5	5	
102	John B. Beatteay, planing mill.....	Market Slip, Water Street.....	6		
103	Thos. H. Adams do .....	Old Fort .....	3	5	
104	Alex. Griffiths, painter .....	Charlotte Street .....	4		
105	Wm. J. Irvine do .....	do .....	5		
106	Robert A. Gregory, saw mill.....	Rodney Street .....	80	20	
107	E. G. Dunn do .....	Union Street.....	60	30	
108	Clarke Bros. do .....	Water Street.....	60	10	
109	Benjamin Tippet, sparmaker .....	Old Fort .....	8		
110	Jas. O. Stackhouse, shipbuilder and repairer.	King's Block, Sand Point.....	30		
111	Samuel McClelland, tailor.....	Union Street .....			
112	John K. Taylor do .....	do .....	6	2	52
113	I. B. Duke do .....	King Street.....			
114	Alex. Fox do .....	Winslow Street .....	2		4
115	Charles Emerson, tinsmith.....	Union Street.....	3	1	
116	George Watters do and plumber.....	King Street.....			
117	McLachlan & Wilson, timber pond.....	Union Street.....	10		
118	Wm. Dunlavy, Wiggins do .....	do .....			
119	I. O. Beatteay, undertaker.....	Prince Street .....	2		
120	Robert L. Adams, watchmaker.....	Union Street.....			
121	Robert Stackhouse do and jeweller...	King Street.....	1		





## TABULAR STATEMENT giving Designation of Manufacturing

No.	Name and Industry.	Location.	Hands employed in 1878.		
			M.	B.	F.
Carleton—Continued.					
122	Samuel Mayes, wharf builder, pile driver and contractor .....	.....	16		
123	G. S. Mayes do do do .....	.....			
Portland.					
1	Richard Ellis, boot and shoe maker .....	Paradise Row .....	2		
2	Peter Ward do .....	Hazen Avenue.....	2	1	
3	Charles Wood do .....	City Road.....			
4	T. S. Treadwell do .....	Main Street.....			
5	Mr. Humphrey do .....	do .....	2		
6	T. A. Vincent do .....	do .....			
7	William Connor do .....	do .....	1		
8	George Downey do .....	do .....			
9	Felix O'Neill do .....	do .....	1		
10	John McKeerer do .....	do .....			
11	John C. Kavanagh do .....	do .....			
12	D. Brown do .....	do .....	2		
13	William Searle do .....	do .....	2		
14	Phillips Bros. do .....	do .....			
15	Christopher Collins do .....	Portland Bridge .....	1		
16	James Collins do .....	do .....	1		
17	E. A. Baxter do .....	Railway Bridge .....	1		
18	R. D. Damery, boot and shoe counter factory .....	Paradise Row .....	2	5	12
19	Donald McLean, butcher.....	City Road.....	2	2	
20	Joshua Corkery do .....	Portland Bridge .....	4		
21	Denis Murphy do .....	Main Street .....	1	1	
22	Fred. Tippet do .....	do .....			
23	Court Bros. do .....	do .....	6		
24	Robert A. Scott do .....	do .....	2	1	
25	John Cunningham do .....	do .....	2		
26	Navarro & Soule, blacksmiths .....	do .....			
27	W. F. Myers do .....	Portland Bridge .....	3		
28	Wm. Marrow, brick manufacturer.....	Milledgeville Road.....	7	7	
29	Jas. H. Pitts, barber .....	Main Street .....			
30	Hugh Campbell do .....	do .....	2	1	
31	John Burns do .....	do .....			
32	W. J. McDevitt do .....	do .....			
33	Thos. McMaster do .....	do .....	1		
34	Edward Hayes, baker.....	Paradise Row.....	5		
35	John Duncan do .....	City Road.....	2	1	
36	Andrew Moore do .....	Main Street.....	3		
37	T. Boyle do .....	do .....	5		
38	Wm. Crothers do bread, cake and pastry.....	Portland Bridge.....	4		
39	Benj. Lawton, boat builder.....	Straight Shore.....	3	2	
40	Chas. Lawton do .....	do .....			
41	James Wales, brass founder.....	Paradise Row.....	2	2	
42	St. John Bolt and Nut Co .....	Dorchester Street .....			
43	Cochran & Rogerson, carvers.....	Portland Bridge .....	2		
44	Kelly & Murphy, carriage and sleigh factory.....	Main Street.....	14	8	
45	T. Connor & Sons, N. B. Cordage Works.....	Milledgeville Road .....	12	12	
46	T. H. Mason, cabinet maker.....	Main Street.....	1		
47	S. J. Stubbs, confectioner.....	do .....	1		1
48	Alfred Lordly, Coffee and Spice Factory.....	Paradise Row.....	3	1	
49	N. B. Cotton Mills, or Parks' Cotton Mills....	Valley, near Railway Station...	43		108
50	Mrs. Cooper, dressmaker.....	Main Street .....			
51	Mrs. Charles Sanders do .....	Straight Shore .....			
52	Mrs. Elijah Baxter do .....	Railway Bridge.....			
53	Smith & Pugsley, dentist.....	Main Street.....			
54	Dr. Sangster do .....	do .....			

## Enterprises, Employment Force, Wages Paid, &amp;c., &amp;c.—Continued.

Average rate of wages per week.			Hands employed in 1884.			Average rate of wages per week.			Remarks.
M.	B.	F.	M.	B.	F.	M.	B.	F.	
\$ cts.	\$ cts.	\$ cts.				\$ cts.	\$ cts.	\$ cts.	
9 00			25			9 00			Stopped 1881.
5 00			1			5 00			
7 50	2 00		1			7 50			
			2			6 00			Started May, 1882.
			1			6 00			do 1883.
8 00			2			7 00			
7 00			2			8 00			Vincent & McFate, in 1878.
			1			7 00			
6 00			1			7 00			Started in 1879.
			1			6 00			
			1			8 00			do 1881.
7 50			1	1		7 00	2 00		do 1882.
7 00			2			7 50			
			1			7 00			
			6		3	7 50		3 00	Started in 1882, running in 1883 and up to January, 1884.
7 00			2			7 00			
8 00			1	1		8 00	4 50		
7 00			2			7 00			
9 00	2 50	3 00	2	4	4	9 00	2 50	3 00	
6 00	2 00		2	1		7 00	2 00		Granville & McLean, in 1878.
12 00			3			12 00			
7 00	2 00		1	1		7 00	2 00		
			1			7 00			Started May 1, 1884.
8 00			6			8 00			
8 00	1 50		1	1		8 00	2 00		
9 00			2			9 00			
			2			8 00			do November, 1883.
8 50			2	1		9 00	2 50		do May, 1884; formerly Lockhart.
10 00	4 00		4	4		7 20	3 50		
			1	1		9 00	2 00		Started in 1880.
8 00	2 00		2	1		8 00	2 00		
			2			8 00			do 1881.
			1			8 00			do May, 1884.
9 00			1			9 00			
8 00			3	2		8 00	3 00		
8 00	3 00		1	1		8 00	3 50		
9 00			2			7 50			
8 00			2			8 00			
6 00			1		2	6 00		3 00	
10 00	3 00								
			2			10 00			do February, 1882.
8 00	2 00		1	1		8 00	2 00		
			22	9		9 00	3 00		do fall of 1881.
12 00			2			12 00			
10 00	3 00		10	4		11 00	3 00		
9 00	3 00		44	29	12	9 00	2 50	3 00	
8 00			1			8 00			
9 00	2 00		1		1	9 00		3 00	
7 00	3 00		3	1		7 00	3 00		
1 to	0 80					2 to		1 00	
15 00	to 4 50		90		159	20 00		to 7 50	
					1			4 00	do May, 1883.
					3			3 00	do 1879.
					4			3 00	do May, 1880. Has 2 apprentices.
			1			10 00			do 1879.
			1			15 00			do 1881.



TABULAR STATEMENT giving Designation of Manufacturing

No.	Name and Industry.	Location.	Hands employed in 1878.		
			M.	B.	F.
Portland—Continued.					
55	A. L. Law, dye works.....	Gilbert's Lane.....	3		4
56	John C. Edwards, edge tool manufacturer...	Main Street.....	1	2	
57	John Mealey, foundry.....	do.....	2	2	
58	J. Harris & Co., foundry and machine shop, car works and rolling mill.....	Paradise Row.....	300		
59	Chas. Logan, fisherman.....	Straight Shore.....	2		
60	Wm. Logan do.....	do.....	2		
61	Alex. Logan do.....	do.....	2		
62	Wm. Spence do.....	do.....	2		
63	Wm. Brayley do.....	do.....	4		
64	John Sullivan do.....	do.....	2		
65	Michael Kedire do.....	do.....	2		
66	Thos. Roddin do.....	do.....	2		
67	Wm. Hood do.....	do.....	2		
68	John Miller do.....	do.....	2		
69	Nicholas Miller do.....	do.....	2		
70	Daniel Logan do.....	do.....	2		
71	Wm. Brayley do.....	do.....	3		
72	Jas Wilson & Sons do drift, weir and deep-sea.....	do.....	6		
73	N. Logan & Son do and boat build- ers.....	do.....	4		
74	Wm. Watters do drift, weir and deep-sea.....	do.....	2		
75	Hood & Babineau do do.....	do.....	2		
76	John Winchester do do.....	do.....	1	1	
77	Wm. Dunham do weir.....	do.....	3		
78	W. H. Fowler, Valley Grist Mill.....	City Road.....			
79	James Bond, harness maker.....	Portland Bridge.....	1		
80	W. Dunlop do.....	Main Street.....			
81	R. Culbert & Sons do and saddle.....	do.....	3		
82	Wm. Hazelhurst, iron foundry.....	City Road.....	19	5	
83	Joseph McAfee do.....	Main Street.....	7	2	
84	Hatfield & McLean do.....	City Road.....			
85	J. A. & W. A. Chesley, iron workers, ship's knees.....	Straight Shore.....	10		
86	Purdy & Green, lime burners, draw kiln.....	Milledgeville Road.....	7		
87	Wm. D. Morrow do old style.....	do.....	7		
88	Chas. Miller do 2 draw kilns.....	Pokiok, Cedar Cliff.....			
89	Jos. Armstrong do.....	do.....	8		
90	Misses McCarthy & McFadden, milliners.....	Mill Street.....			
91	Emma Keenan, milliner.....	Portland Bridge.....			2
92	Hugh J. McElroy do.....	Main Street.....			2
93	Miss Heans do and dress maker.....	Paradise Row.....			
94	Mrs. Kane do.....	Portland Bridge.....			
95	Caird & Kerr, machinists.....	City Road.....			
96	James Tyzick do and inventor.....	Hazen Avenue.....	3	4	
97	John Abrams, mowing machine manufacturer.....	City Road.....	8	4	
98	G. & G. Flewelling, match factory and saw mill.....	Stanley Street and Hampton....	{ 60 2	10 2	8
99	Augustine Kinsella, marble works.....	Mill Street.....	3		
100	J. B. Wallace, photographer.....	do.....			
101	John J. Salmon do.....	Orange Corner.....	1		
102	Rigby & Co., painters.....	Main Street.....			
103	Fairbanks & Co., planing mill and sash factory.....	City Road.....	28		
104	Kirk & Daniel, saw mill.....	Long Wharf.....	{ 58 10	23	
105	Hilyard Bros. do.....	Straight Shore.....	100	26	
106	Chas. Hamilton & Co. do.....	do.....	55	30	
107	E. D. Jewett & Co. do.....	Milledgeville Road.....	80	20	

## Enterprises, Employment Force, Wages Paid, &amp;c., &amp;c.—Continued.

Average rate of wages per week.			Hands employed in 1884.			Average rate of wages per week.			Remarks.
M.	B.	F.	M.	B.	F.	M.	B.	F.	
\$ cts.	\$ cts.	\$ cts.				\$ cts.	\$ cts.	\$ cts.	
11 00		4 00	3		2	11 00		4 00	
9 00	3 00		1	2		9 00	3 00		
8 00	3 50		2	2		8 00	3 50		
7 50			160			7 50			
6 00			4			6 00			
6 00			4			6 00			
8 00			4			8 00			
8 00			2			8 00			
15 00			4			15 00			
6 00			2			6 00			
6 00			3			9 00			
6 00			2			6 00			
6 00			2			6 00			
6 00			2			6 00			
6 00			2			6 00			
6 00			2			6 00			
10 00			3			10 00			
10 00			6			10 00			
9 00			4			9 00			
6 00			2			6 00			
6 00			2			6 00			
6 00	3 00		1	1		6 00	3 00		
10 00			3			10 00			
			4			9 00			Started in fall of 1881.
8 00			1	1		9 00	3 50		
			1			8 00			
8 00			2			8 00			
8 00	2 50		19	10		9 50	3 50		
9 00	2 00		4	1		9 00	2 00		
			5	7		8 00	3 50		do June 5th, 1883.
6 50			20	3		9 00	4 20		
8 00			7			8 00			
8 00			8			8 00			
			14			7 80			
7 20			8			8 10			
					2			4 00	do April, 1884. Has 2 apprentices
	3 50				2			3 00	do for self in April, 1884; formerly Miss Kelly. In '84, had
									3 apprentices; in '84, 2.
	4 00				2			4 00	do July, 1884.
					3			3 00	do May, 1884. Has 2 apprentices.
					3			3 00	do April, 1883.
			8	3		7 00	3 00		
9 00	3 00		1			12 00			
9 00	2 00		6	2		9 00	2 00		
6 60	3 00	4 00	60	10	8	6 60	3 00	4 00	
9 60	4 00		2	2		9 00	4 00		
12 00			4			12 00			
			1			9 00			Started in spring of 1883.
12 00			1			12 00			In Carleton in 1878.
			2			12 00			Started in 1881. Employed about half
7 50			15			7 50			year.
7 50									Stopped early in 1883.
8 00	3 00								
9 00	4 00		63	18		9 00	4 00		
8 40	5 40		55	20		8 40	4 50		Run on an average of 8 months in a
7 20	4 00		80	20		8 50	5 00		year.



## TABULAR STATEMENT giving Designation of Manufacturing

No.	Name and Industry.	Location.	Hands employed in 1878.		
			M.	B.	F.
Portland—Concluded.					
108	Warner & Purvis, saw mill lath.....	Straight Shore.....			
109	Hilyard Bros., shipbuilders.....	do .....	85		
110	F. E. Sayre do .....	do .....			
111	David Lynch do .....	do .....	75		
112	Wm. Quinsler, sausage and bologna.....	Portland Bridge.....	3		
113	Philip Grannen, stove and tinware manf.....	Main Street .....	3	1	
114	Henry J. Pratt do .....	do .....			
115	Henry Wm. Minden do .....	do .....			
116	E. V. Wetmore, stair builder.....	City Road.....	4		
117	Josiah Fowler, Maritime spring and edge-tool works.....	do .....	19	4	
118	J. A. Fowler & Son, ship wheel manf.....	do .....			
119	Samuel McCavour, tailor.....	Paradise Row .....	2		8
120	Edward C. Monarity do .....	Main Street .....	2		4
121	George McKennet do .....	do .....			
122	Edwin Fisher, timber pond.....	do .....	{ 2		
123	N. W. Brennan, undertaker.....	Hazen Avenue.....	2		
124	James Byers, wood turner.....	City Road.....	1		
125	A. J. Paterson, watchmaker and jeweller ..	Main Street.....	2		
126	Mrs. Mersereau & Miss Murphy, wax works and hair flowers.....	do .....			2
Indiantown, Portland.					
1	Hugh Pierce, barber.....		2		
2	Harry Pitt do .....				
3	J. H. Colwell, blacksmith.....	Main Street.....	2		
4	Anthony A. Pirie do .....	do .....	1	1	
5	Robert McIntosh, boot and shoemaker.....		2		
6	I. Rootes & Son, bakers.....		2		
7	Chas. Bradley, boilermaker.....		3		
8	F. & F. H. Flewwelling, butchers and sausage makers .....		2		
9	Gunter & Co., cedar shingle factory.....	Marble Cove.....			
10	Price & Shaw, carriage and sleigh factory....	Main Street.....	24	10	
11	G. H. Waring, foundry and machine shop....	Bridge Street.....	15	5	
12	A. T. Matthews, ice dealer and cutter.....	Agency, cor. North Wharf and Nelson Streets, St. John.....			
13	Hayford & Stetson, saw mill.....	Spar Cove.....			
14	Wm. H. Murray do .....	Marble Cove .....	100	13	
15	M. E. Cowan do .....				
16	Joseph Rowan, shipbuilder.....	Marble Point.....	40		
17	Geo. Gorham, tailor .....				
18	C. B. Pidgeon do .....				
Parish of Lancaster.					
1	Oliver John Stinson, fisherman.....	Pisarineo....	3		
2	Wm. Wilson do —drift .....	do .....	2		
3	Andrew Wilson do do .....	do .....	2		
4	Thos. Wilson do do .....	do .....	2		
5	Jas. Wilson do do .....	do .....	2		
6	Alex. McAllister do do .....	do .....	2		
7	Thos. Gilbraith, jun. do do .....	do .....	2		
8	Chas. McAver do do .....	do .....	2		
9	Wm. McKnight do do .....	do .....	2		
10	John Gilbraith, P.M. do do .....	do .....	2		
11	Wm. Cunningham do do .....	do .....	2		
12	Jno. Jas. McAver do do .....	do .....	2		





## TABULAR STATEMENT giving Designation of Manufacturing

No.	Name and Industry.	Location.	Hands employed in 1878.		
			M.	B.	F.
Parish of Lancaster—Continued.					
13	John Byers fisherman, variety.....	Pisarinco.....	2		
14	Stinson Bros do do .....	do .....	2		
15	John Baird do do .....	do .....	4		
16	Henry Baird do do .....	do .....	2		
17	Jas. Gilbraith & Son do do .....	do .....	2		
18	Thos. Gilbraith, jun. do do .....	do .....	2		
19	John Reed do do .....	do .....	2		
20	Geo. Lahey do do .....	do .....	2		
21	Robt. McKee do do .....	do .....	2		
22	Jas. McAllister do do .....	do .....	2		
23	John Gilbraith do do .....	do .....	2		
24	Wm. Gilbraith do do .....	do .....	2		
25	Jas. Dalzell do do .....	do .....	2		
26	John Gilbraith (2nd) do do .....	do .....	2		
27	Samuel Gilbraith do do .....	do .....	2		
28	David McAver do do .....	do .....	2		
29	Robert Knox do do .....	do .....	2		
30	Albert Cunningham do do .....	do .....	2		
31	Samuel Cunningham do do .....	do .....	3		
32	McAfee Bros. do do .....	do .....	2		
33	McAver Bros. do do .....	do .....	3		
34	Ferguson Bros. do do .....	do .....	3		
35	Henry Gilbraith (Ridge) do do .....	do .....	2		
36	John Wilson do drift and salmon	do .....	2		
37	Thos. Wilson do salmon .....	do .....	2		
38	Samuel Shanks & Bros. do weir.....	do .....	2		
39	James Durdan, boot and shoemaker .....	Fairville .....	3		
40	John T. Breen do .....	do .....	1		
41	J. Hammon do .....	do .....	1		
42	Henry Allingham, blacksmith .....	do .....			
43	C. A. Smith do .....	do .....			
44	Wm. Griffith do .....	do .....	1	1	
45	R. Hennessey, butcher.....	do .....			
46	Michael Collins do .....	do .....	1		
47	Thos. E. Griffith, barber.....	do .....			
48	Mooney & Sons, brick factory.....	do .....			
49	Jas. Masson, carriage factory.....	do .....	5	3	
50	Mary McCarron, milliner.....	do .....			
51	Quigg Bros. fishermen, drift .....	Irishtown .....	2		
52	Wm. Tiner & Son do do .....	do .....	2		
53	Driscoll & Son do do .....	do .....	2		
54	John Spillane & Son do do .....	do .....	3		
55	James Byan & Son do do .....	do .....	2		
56	Samuel McGuire & Son do variety .....	do .....	2		
57	Michael Quigg do do .....	do .....	2		
58	Nathaniel McGuire do do .....	do .....	2		
59	Thos. Stewart, blacksmith.....	Milford.....			
60	Miller & Woodman, saw mill.....	do .....	80	40	
61	John Raynes & Son, lime kiln .....	Green Head .....	4		
62	J. & F. Armstrong do .....	do .....	13		
63	John Lowry do .....	South Bay .....	4		
64	E. D. Jewett & Co., saw mill .....	do .....	55	15	
65	Randolph & Baker do .....	Randolph .....	115	10	
66	Cowan, Gaskin & Co. do .....	do .....	25		
67	G. E. Barnhill do .....	Point Pleasant.....	45	10	
68	Spear & Co. do old Rivers' mill .....	do .....	60	20	
69	A. Cushing & Co., lumber manf .....	Union Point.....	{ 78		
70	E. D. Jewett & Co., saw mill.....	Grand Bay .....	14	8	
71	S. T. King & Sons do .....	Kingston .....	60	20	
			70	10	

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## TABULAR STATEMENT giving Designation of Manufacturing

No.	Name and Industry.	Location.	Hands employed in 1878.		
			M.	B.	F.
Parish of Musquash.					
1	John Dunn, butcher .....	Musquash .....	4		
2	John Shannon & Son, drift fishermen .....	do .....	2		
3	Mr. Barchell do .....	do .....	2		
4	J. E. Knight, saw mill .....	do .....	25	10	
5	Chas. Clench & Sons, saw mill .....	do .....	30	10	
6	Charles Hawkins, fisherman—variety .....	Dipper Harbor .....	2		
7	Chas. Devine do .....	do .....	3		
8	Henry Devine do .....	do .....	2		
9	James Devine do .....	do .....	2		
10	Daniel Campbell do .....	do .....	2		
11	Daniel Campbell, jun. do .....	do .....	2		
12	Robert McLellan do .....	do .....	2		
13	David McLellan do .....	do .....	2		
14	Capt. Belmour do .....	do .....	2		
15	Mr. Belmour, jun. do .....	do .....	2		
16	Wm. McLellan do .....	do .....	2		
17	John Clark do .....	do .....	3		
18	James O'Donnell do .....	do .....	2		
19	Mr. Walls do .....	do .....	2		
20	Duncan Clark do .....	do .....	3		
21	Fred. Thompson do .....	do .....	3		
22	Chas. Thompson do .....	do .....	2		
23	Edward Clark do .....	do .....	2		
24	Frank Campbell do .....	do .....	2		
25	James Boyle, fisherman .....	Clarence Harbor .....	3		
26	Mr. Belding, sen. do .....	do .....	2		
27	John Maugan do .....	do .....	2		
28	Michael King do .....	do .....	2		
29	Mr. Belding do .....	do .....	2		
30	Frank Cassidy, fisherman—variety .....	Mace's Bay .....	2		
31	David Wann do .....	do .....	2		
32	John Wann do .....	do .....	2		
33	John McGowan, jun. do .....	do .....	2		
34	Patrick Bradley do .....	do .....	2		
35	Robert Macpherson do .....	do .....	2		
36	Joseph Mawhinney do .....	do .....	2		
37	John Mawhinney do .....	do .....	2		
38	James Ellis do .....	do .....	3		
39	Robert Ellis do .....	do .....	2		
40	John Ellis do .....	do .....	2		
41	David Mawhinney do .....	do .....	2		
42	Wm. Kiskadden do .....	do .....	2		
43	Thomas Kiskadden do .....	do .....	2		
44	Thomas Boyle do .....	do .....	3		
45	Albert Craft do .....	do .....	2		
46	Henry Craft do .....	do .....	2		
47	Medley Craft do .....	do .....	2		
48	Michael Caffrey do .....	do .....	2		
49	George Caffrey do .....	do .....	2		
50	Robert J. Mawhinney do .....	do .....	2		
51	James Kelly do .....	do .....	2		
52	Joseph Mawhinney do .....	do .....	2		
Parish of St. Martins.					
1	William Taylor, boot and shoemaker .....	Quaco .....			
2	Edward Power do do .....	do .....	1		
3	James McCoomb do do .....	do .....	2		
4	Wm. Wilson, blacksmith .....	do .....	1		
5	J. Lefurgey do .....	do .....	1		
6	John Power do and galvanizer .....	do .....	3		
7	Wm. Vaughan, builder .....	do .....	2		
8	Cudlip Miller, butcher .....	do .....	3	1	
9	Mrs. Charlton, dressmaker .....	do .....			

[illegible]



## TABULAR STATEMENT giving Designation of Manufacturing

No.	Name and Industry.	Location.	Hands employed in 1878.		
			M.	B.	F.
Parish of St. Martins—Concluded.					
10	R. R. Long, fisherman, herring .....	Quaco, East .....	1		
11	Jas. Malaskey do do and line...	do do .....	1		
12	Stephen M. Brown do do do ...	do do .....	1		
13	John McCumber do do do ...	do do .....			
14	D. Brown do do do ...	do do .....	1		
15	Delong Bros. do do do ...	do do .....	3		
16	R. & J. Tufts & Son do do do ...	do do .....	3		
17	Rowland Brown do net, line, trawl, herring and lobster...	do do .....	1		
18	Charles Brown do do do ...	do do .....	1		
19	Miss Skillen, milliner .....	do .....			
20	Jas. Black, oarmaker .....	do .....	1		
21	Patrick Nugent, saw mill .....	do .....	{ *5		
22	Israel Mosher do and grist .....	do .....	{ †6		
23	Wm Ingram, ship builder .....	do .....			
24	Arch'd Parks do .....	do .....	60	3	
25	T. H. Bradshaw do .....	do .....	50		
26	John Marr do .....	do .....	18		
27	James B. Hodsmyth, tailor .....	do .....	1		4
28	St. Martins Wood Manufacturing Co. ....	do .....	12	10	
29	Quaco do do .....	Henry's Lake .....	19	6	
30	John McManus, boot and shoemaker .....	Irish River, Quaco .....			
31	W. H. & J. Rourke, saw mill, water-power ...	do .....	{ *30		
32	James Rourke, saw mill, steam rotary .....	do .....	{ †60		
33	W. H. Rourke, sen., ship builder.....	do .....	5		
34	Wm. & Samuel Patterson, saw mill .....	Old Loch Lomond Road .....	3		
35	Wm. Titus do .....	Woodlake Mill Road .....	2		
36	Robert McAfee do .....	Hanford Brook do .....	10		
37	A. H. Wasburn do .....	Smith's Brook do .....	3		
38	J. Davidson, fisherman—weir, line & herring.	Martin Head.....	3		
39	Geo. McCumber, ship builder .....	McCumber's Hill.....			
40	Wm. Davidson, saw mill .....	Salmon River.....	{ *90		
41	Thos. Mallory do .....	.....	{ †40		
			4		
Parish of Simonds.					
1	Lee Bros., brick and tile manfs.....	Little River .....	55	10	
2	Capt. Henry Anthony, cooper .....	Red Head Road.....	1		
3	Wm. Anthony, cooper and fisherman.....	do .....	2		
4	Wm. Lawlor, limekiln .....	Brookville .....	{ 11		
5	Geo. N. Robertson, limekiln.....	do .....			
6	E. D. Jewett & Co. do .....	Drury Cove .....	20		
7	Joseph Hornibrook do .....	Torryburn .....	8		
8	Coldbrook nail factory .....	Coldbrook.....	63		
9	Coldbrook rolling mills .....	do .....			
10	Jas. A. White & Co., Courtenay Bay pottery.	Crouchville .....	24	6	4
11	Chas. E. Potter, sign painter .....	do .....	1		
12	Poole & Foley, Disbrowville pottery .....	Disbrowville .....			
13	John McLeod, shipbuilder .....	Black River .....	60		
14	Wm. & Robt. Wallace, shipbuilders .....	Gardner's Creek .....	30		
15	Robt. L. Parker, shipbuilder .....	Tynemouth Creek .....			
16	J. Calkin, tallow manf. ....	Silver Falls .....			
17	Alexander Willis, woollen mills .....	Golden Grove Road.....	8	1	6
18	Wm. McClellan, woollen cloth factory.....	Willow do .....	3	2	3
19	Philip Palmer, manager Mispeck woollen and cotton mills .....	Mispeck .....			
	* Millmen. † Lumbermen.				

\* Millmen.

† Lumbermen.

Enterprises, Employment Force, Wages Paid, &c., &c.—Continued.

Average rate of wages per week.			Hands employed in 1884.			Average rate of wages per week.			Remarks.
M.	B.	F.	M.	B.	F.	M.	B.	F.	
\$ cts.	\$ cts.	\$ cts.				\$ cts.	\$ cts.	\$ cts.	
7 00			1			7 00			
7 00			1			7 00			
7 00			1			7 00			
			2			7 00			
7 00			1			7 00			
8 00			3			8 00			
8 00			3			8 00			
9 00			1			9 00			
9 00			1			9 00			
					1			3 00	Started May, 1881.
12 00			1			12 00			
7 50			*6			7 50			Started in 1880.
7 50			†9			7 50			
			6			6 60			Started in 1879. Only grist mill in parish of St. Martins.
			13			7 50			
10 50	3 00								Died June 14, 1884.
10 80									Not in operation now.
8 40			8			6 60			
7 00		3 00	1		3	8 00		3 00	
8 40	2 00								Stopped in 1881.
7 50	3 00		46			7 20			Some of the force, in 1878, were em- ployed in construction work.
			1			7 00			Started April, 1884.
7 50			*32			7 80			
7 50			†40			8 10			
			{ *13			7 50			{ Started in fall of 1879, by Mr. Vaughan. Started in spring of 1884 by J. Rourke.
7 20			{ †5			7 50			
7 80			6			6 60			
6 00			5			7 80			
7 50									Not running now.
6 00			10			7 50			
9 00			2			6 00			
			3			9 00			
			1			9 00			
7 80			*150			7 20			
7 50			†60			8 00			
6 00			4			6 00			
8 40	3 60		22	3		8 40	6 00		
6 00			1			6 00			
6 00			2			6 00			
7 50			13			9 00			{ Draw, and two 3-eyed kilns. Employed 20 men for construction work in 1878.
8 00									
7 20			3			7 20			Started Sept. 3, 1884.
7 20			15			7 20			
7 50			10			9 00			
6 00									Merged in E. R. Moore & Co.'s works in 1884.
6 00	3 00	3 60	70			12 00			
10 00			20	2	2	7 00	3 00	3 60	
			1			12 00			
7 50			14			7 50			Started Oct., 1880.
7 20			30			7 50			
			40			7 80			
			6			7 50			
			5			7 50			Started in 1884.
8 00	4 80	3 50	6	2	3	7 80	3 60	3 00	
6 60	3 00	3 60	4		3	6 00		4 60	
			5			8 50			Doing nothing in 1878. J. L. Wood- worth, manager.



## TABULAR STATEMENT giving Designation of Manufacturing

No.	Name and Industry.	Location.	Hands employed in 1878.			Average rate of wages per week.		
			M.	B.	F.	M.	B.	F.
	<i>Fredericton.</i>					\$ cts.	\$ cts.	\$ cts.
1	John Brown, axe maker.....		5			10 50		
2	Moses Brown, boot and shoe manf. ....							
3	C. N. Clark do .....		19			9 00		
4	Reed & Reed, broom, brush and feather duster factory.....							
5	Patrick McGinn, carriage factory.....		5	3		6 60	3 00	
6	Edgecombe & Sons do and sleigh factory.....		15	8		10 50	3 00	
7	Robert Colwell do do .....		6	7		9 00	2 00	
8	Eben, Miller & Co. do do .....							
9	Cooper & Pinder do do .....		7	5		9 00	2 50	
10	Thos. W. Smith, clothing manf....		2		8	12 00		4 00
11	G. Todd & Son, foundry and ma- chine shop .....		4	6		8 00	3 50	
12	McFarlane, Thompson & Anderson, foundry and machine shop .....		27	9		9 00	3 00	
13	B. McCaffery, iron foundry, stoves and ploughs.....							
14	S. D. Macpherson & Son, harness makers.....		7			8 00		
15	Fredericton Leather Company .....		15	5		7 00	2 50	
16	John Moore, marble works .....							
17	Chas. H. O'Brien do .....							
18	A. N. Laforest, plumber, gasfitter, tinware and sheet iron worker..							
19	Arthur Limerick do do .....		2	2		8 00	2 00	
20	J. & J. O'Brien do do .....		4	1		7 50	1 50	
21	Richard A. Estey, West End saw mills.....		20			9 00		
22	John A. Morrison, steam saw mills		80	20		8 00	3 00	
23	R. A. & J. Stewart do .....		32	20		7 00	3 00	
24	J. C. Risteen & Co., sash, door and blind factory and planing mill..		20	2		9 00	4 00	
25	Henry F. Blair, sash and door fac- tory, planing mill, and builder..		12			9 00		
26	Jas. R. Howie, tailor.....		7		36	10 00		4 00
27	Wm. Jennings do .....							
28	John G. Gunn do .....							
29	Thomas Stanger do .....		3			9 00		
30	Stephen Whittaker, tannery.....		6			6 00		
31	Brown & Palmer, tannery and lar- rigan factory .....		4	2		7 00	2 50	
32	N. Laforest, tinsmith .....		3			7 00		
33	Alex. Gibson, saw mill .....	Marysville, York Co.	120 in mill.			8 40		
	do do .....	do	6 in store.....			18 00		
	do do .....	do	500 steam driv'g.			10 50		
	do do .....	do	800 logging.....			6 60		
34	do cotton mill .....	do						
	do do .....	do						
	do do .....	do						
	do do .....	do						
	do do .....	do						

## Enterprises, Employment Force, Wages Paid, &amp;c., &amp;c.—Continued.

Hands employed in 1884.			Average rate of wages per week.			Capital Invested.	Output thereof.	Remarks.
M.	B.	F.	M.	B.	F.			
			\$ cts.	\$ cts.	\$ cts.	\$ cts.	\$ cts.	
4			10 50			1,900 00	3,600 00	1872.
8			8 00			1,000 00	9,000 00	1879.
12			11 00			4,000 00	11,000 00	1866.
3	1	3	8 00	2 00	5 00	1,500 00	4,000 00	1879.
5	3		6 60	3 00		6,000 00	5,000 00	1859.
24	10		9 00	3 00		20,000 00	30,000 00	1872, firm; 52 persons under other auspices.
5	4		8 00	3 00		5,000 00	5,000 00	1870.
5	2		10 00	2 50		5,000 00	6,000 00	1880.
13	7		9 00	3 00		10,000 00	15,000 00	1871.
2		15	12 00		4 00	10,000 00	13,000 00	1876.
3	3		8 00	3 50		12,000 00	4,000 00	1833.
47	13		9 00	4 00		40,000 00	90,000 00	1871.
5			9 00			4,000 00	5,000 00	1882, by Toule & McCaffrey; since 5th April, 1884, by McCaffrey.
7			8 00			4,000 00	12,000 00	1820.
20	1		8 00	2 50		32,000 00	55,000 00	1874.
5	1		9 30	5 00		3,000 00	2,000 00	1879.
2			10 00			500 00	1,000 00	May, 1884.
4	1		9 00	2 50		1,200 00	6,000 00	1882.
3	2		9 00	2 50		2,500 00	7,000 00	1874.
10	1		9 00	2 00		5,000 00	5,500 00	1st Dec., 1873.
{ 33			9 00			25,000 00	35,000 00	1874.
{ 20 in woods.			7 00					
80	20		8 00	3 00		40,000 00	45,000 00	1860.
				{ mill property		13,000 00	70,000 00	1872. Not running in 1884. Hands employed in 1883 same as in 1873
				{ logs.		56,000 00		
20	2		9 00	4 00		12,000 00	18,000 00	1872.
8			9 00			6,000 00	5,000 00	1875.
6		15	12 00		5 00	13,000 00	26,000 00	1859.
2		12	9 00		4 00	5,000 00	13,000 00	1879.
2	1	10	10 00	2 00	3 75	1,000 00	8,000 00	1883.
3			9 00			5,000 00	18,000 00	1869.
5			6 00			10,000 00	20,000 00	1852.
10	2		8 00	2 50		6,000 00	15,000 00	1876, tannery; 1882, larrigan.
3			8 00					1856.
120 in mill.			8 40			200,000 00	275,000 00	1854.
6 in store.			18 00					
500 steam driving			10 50					
800 logging.			6 60					
* 30 carpenters.			9 60			1,000,000 00		Expect to start Jan., 1885. A crew of fully 400 men have been en- gaged in constructing the mill, the average weekly wages per man not being less than \$9.
† 8 painters.			9 00					
† 12 bricklayers.			18 00					
† 18 laborers.			7 00					
24 machinists.			12 00					
4 plumbers.			13 75					
20 brickmakers.			9 00					

Employed 1½ year.

† Three times as many employed last year.



## TABULAR STATEMENT giving Designation of Manufacturing

No.	Name and Industry.	Location.	Hands employed in 1878.			Average rate of wages per week.		
			M.	B.	F.	M.	B.	F.
Fredericton—Concluded.						\$ cts.	\$ cts.	\$ cts.
35	Babbitt Bros., confectionery .....	St. Mary's, York Co.	2	.....	1	7 00	.....	4 00
36	W. McFarlane, New Brunswick harness factory .....	do .....	6	.....	.....	7 00	.....	.....
37	T. E. Babbitt, saw and shingle mill	Gibson .....	.....	.....	.....	.....	.....	.....
38	W. Jeffrey's furniture factory .....	do .....	.....	.....	.....	.....	.....	.....
39	Gibson Leather Company .....	do .....	22	.....	.....	180 00	.....	.....
40	Geo. McFarlane, carriage factory.	Nashwaaksis .....	15	5	.....	7 50	2 50	.....
41	Wm. Kinghorn, jun., tannery .....	do .....	3	.....	.....	6 60	.....	.....
42	Thompson Estate, grist, carding and cloth fulling mills .....	Douglas, York Co....	5	.....	.....	6 00	.....	.....
43	S. J. Parsons, tannery .....	Benton do ...	10	.....	.....	7 50	.....	.....
44	Jas. Murchie & Sons, saw mill ...	Canterbury do ...	80	.....	.....	8 00	.....	.....

In addition to the aforementioned industries, there are in Fredericton 3 bakers, 5 blacksmiths, 1 boat builder, 8 shoemakers, 1 brickmaker, 7 builders and carpenters, 2 carriage and sleigh builders, 1 confectioner, 2 gold and silver platers, 7 hairdressers, 3 harness makers, 2 or 3 tailors, 11 milliners and dressmakers, 2 painters, 3 photographers, 5 newspapers (one of which is the *Royal Gazette*), 1 soda water factory, 2 undertakers, 4 upholsterers and 4 watchmakers and jewellers. The working force of these concerns would probably embrace 175 adults, the weekly wages of whom would probably reach \$1,225.

Enterprises, Employment Force, Wages Paid, &c., &c.—*Continued.*

Hands employed in 1884.			Average rate of wages per week.			Capital Invested.	Output thereof.	Date of Establishment.
M.	B.	F.	M.	B.	F.			
			\$ cts.	\$ cts.	\$ cts.	\$ cts.	\$ cts.	
2	.....	1	7 00	.....	4 00	1,500 00	6,000 00	1878.
6	.....		10 50	.....		12,000 00	15,000 00	1869.
10	.....		7 50	.....		4,000 00	7,000 00	1881.
4	4	.....	7 00	2 50		4,000 00	6,000 00	1880.
6	.....		6 00	.....		6,000 00	7,000 00	1848. Prior to that under other control.
3	.....		6 60	.....		7,000 00	10,000 00	1854.
5	.....		6 00	.....		13,000 00	5,500 00	1818.
10	.....		6 60	.....		{ 10,000 00 30,000 00 }	60,000 00	1873.
80	.....		7 50	.....	{ mill... logs...	{ 25,000 00 25,000 00 }	44,000 00	Rebuilt, 1872.

In the county of York there are besides the foregoing, so far as I could ascertain, 3 bakers, 33 blacksmiths, 19 boot and shoemakers, 1 brickmaker, 37 builders and carpenters, 5 carriage and sleigh builders, 10 grist and carding mills, 4 harness makers, 3 milliners and dressmakers, 3 painters, 21 saw and planing mills and 4 tanners and curriers. The average weekly wages of these establishments, whose working force would probably number 345 adults, would amount, at a moderate rate, to \$2,400.



## TABULAR STATEMENT giving Designation of Manufacturing

No.	Name and Industry.	Location.	Hands employed in 1878.			Average rate of wages per week.		
			M.	B.	F.	M.	B.	F.
Woodstock, N.B.						\$ cts	\$ cts.	\$ cts.
1	J. D. Dickenson, boot and shoe factory.....		4			7 50		
2	R. M. Bailey do .....							
3	Jas. Baker do .....		6			7 00		
4	F. T. Perkins, bakery.....		2			8 00		
5	Thos. S. Dent & Son, bakery.....							
6	Grant & Atherton, carriage factory		4			9 00		
7	Baker Bros do .....		4			9 00		
8	John Loane do .....		12			9 00		
9	John McLauchlan, clothing manf.							
10	Alex. Henderson, furniture factory		6	1		7 50	3 00	
11	J. S. Marcy do .....							
12	John W. Garraty do .....		4			7 00		
13	Union Foundry Company .....		15			9 00		
14	Chas. Woodling, gas fitter.....							
15	Gluff & Jacques, harness makers.		3			7 50		
16	T. L. Estey do .....		2	1		7 20	2 00	
17	S. L. Churchill do .....							
18	James D. Reid do .....		1			10 00		
19	Thos. Donoho, hub factory.....							
20	Connell Bros., iron foundry and machine shop.....		35	5		11 00	3 50	
21	Small & Fisher, machine shop and wood-working factory.....		15			9 00		
22	Gallagher & Son, marble works..		4			12 00		
23	Craig & Rankins, saw mill...		20	2		7 50	3 00	
24	H. H. Sawyer do .....	Parish of Woodstock	80			8 00		
25	Black & Anderson, steam do ..	Brighton.....						
26	James Hayden do do .....		7	5		7 00	3 50	
27	Allan Jones do do and shingle and fish-box factory.....							
28	Hugh Davis, saw and grist mills.		4			9 00		
29	F. Moore, steam rotary saw mill.							
30	Wm. T. Drysdale, sash and blind factory .....		15			10 50		
31	J. D. Dickenson, tannery .....		14			6 90		
32	John McCormack do .....		4			7 00		
33	J. B. McCrae, custom tailor.....		1		11	12 00		3 00
34	John Walker do .....		2		11	10 00		2 50
35	Simon McLeod do .....		1		12	12 00		3 50
36	John Nesbit do .....							
37	R. B. Jones do .....							
38	Wm. Hamilton, tinsmith .....		1	1		7 00	3 00	
39	Churchill & Scott do .....							
40	John McAfee do .....		2	1		7 00	1 00	
41	J. S. Leighton, timber pond .....							
42	Woodstock Wood-working Co.....							

There are in Woodstock, and conducting business, besides the foregoing, some 10 milliners and dressmakers, 2 newspaper offices, 3 undertakers, 4 painters, 5 watchmakers, 1 edge tool maker, 2 gold and silver platers, 1 or 2 bakers, 6 blacksmiths and shoers, several (probably half a dozen) carpenters or builders and 3 or 4 masons, whose weekly pay-roll would, at least, run up to \$650.

In the county of Carleton there are, outside of Woodstock, doing business—54 blacksmiths who do general work, and most of them horseshoeing, 45 boot and shoemakers, 1 brick maker, 62 builders,

Enterprises, Employment Force, Wages Paid, &c., &c.

Hands employed in 1884.			Average rate of wages per week.			Capital invested.	Output thereof.	Date of establishment.
M.	B.	F.	M.	B.	F.			
			\$ cts.	\$ cts.	\$ cts.	\$ cts.	\$ cts.	
8		1	9 00		4 00	2,000 00	5,000 00	May, 1878.
6			8 00			1,000 00	7,800 00	1881.
5			7 00			2,000 00	3,200 00	1852.
2			8 00			1,000 00	4,000 00	1868.
1	1		12 00	3 00		2,000 00	3,000 00	1879.
19	8		10 00	4 00		25,000 00	36,000 00	Sept., 1871 ; 10 years another firm.
11			9 00			6,000 00	11,000 00	1875.
9			9 00			2,800 00	6,000 00	1866.
1		9	12 00		3 50	3,350 00	8,000 00	July 1, 1884.
12	2		8 70	3 50		17,000 00	15,000 00	1861.
3			10 00			3,000 00	4,000 00	1881.
4			9 00			5,850 00	10,000 00	1876.
12			10 50			12,000 00	20,000 00	Small & Fisher, 1878 ; 1882 as a company.
{ 3	plumbers.....		12 00					
{ 4	lab. 1		7 50		3 00	1,500 00	6,000 00	1882.
5			7 50			1,000 00	5,000 00	1883 ; Cluff, 21 years.
3	1		8 00	3 00		1,500 00	6,000 00	1870.
2			8 00			500 00	1,200 00	1881.
1			10 00			2,000 00	1,000 00	1877.
3	1		10 30	5 00		4,000 00	5,000 00	1883.
38	5		10 00	3 50		100,000 00	40,000 00	April, 1870.
15			10 00			20,000 00	20 000 00	1865.
4			15 00			1,000 00	3,000 00	Firm, 1884 ; senior member, 1873.
18	3		9 00	3 00		8,000 00	6,000 00	1875.
80			7 50			25,000 00	44,000 00	1869 ; burnt down a year ago and rebuilt.
14			7 50			16,000 00	75,000 00	1872.
7	5		7 50	4 00		10,000 00	70,000 00	1854.
5			7 50			4,150 00	4,000 00	1883.
4			9 00			20,000 00	10,000 00	Grist mill, 1878 ; saw mill, 1859.
14			7 50			14,000 00	23,000 00	May, 1884.
7			8 40			12,000 00	9,000 00	1867.
20			7 00			35,000 00	45,000 00	1872.
4			8 00			7,000 00	9,000 00	1864.
2		10	12 00		4 00	500 00	9,300 00	1878.
2		12	10 00		3 50	1,000 00	7,300 00	1869.
1		6	12 00		3 50	5,200 00	6,000 00	1864.
2		10	9 00		4 00	1,000 00	7,500 00	1882.
3		9	7 00		4 00	2,500 00	8,000 00	1880.
2			7 00			1,000 00	1,800 00	1854.
2			9 00			1,000 00	1,850 00	1880.
2	1		9 00	3 00		3,000 00	2,000 00	1876.
6			9 00			20,000 00	24,000 00	1883.
25	2		9 00	2 50		30,000 00	50,000 00	Smith Bros in 1878 and some years before ; company since 1878.

3 masons, 16 carriage or sleigh builders, 16 grist and carding mills, 9 harness makers, 16 tanners and carriers. These several occupations would very probably afford employment to some 360 men and say 60 boys. The wages of the men would sum up weekly, at a moderate estimate, \$2,500 ; and the boys might, at a low estimate, be expected to earn \$120 per week. The total weekly earnings of the several industrial occupations enumerated would reach \$2,620.



## TABULAR STATEMENT giving Designation of Manufacturing

No.	Name and Industry.	Location.	Hands employed in 1878.			Average rate of wages per week.		
			M.	B.	F.	M.	B.	F.
	<i>Moncton.</i>					\$ cts.	\$ cts.	\$ cts.
1	Moncton Agricultural Implement Co.							
2	S. Dewire, boot and shoemaker.							
3	D. W. Ketchum do							
4	Higgins & Co do							
5	H. L. Bass do							
6	Herbert Colpitts do		1			7 00		
7	O'Neill & Crue, boot and shoe factory and tannery.		6			9 00		
8	R. D. Duffy, blacksmith.							
9	W. H. Edgett do							
10	Stephen Mills do		4			6 00		
11	Jos. C. Wortman do							
12	Timothy Lockhart do							
13	Daniel Pressley, builder		4			9 00		
14	Alex. McDonald do							
15	R. C. Donald do							
16	Cummins Estate, brickyard.		20			7 00		
17	Thibideau & Cormea do							
18	C. W. Christie, baker.		2			9 00		
19	Moncton Cotton Manufacturing Co							
20	G. Crandall, confectioner.							
21	McSweeney Bros, clothiers, &c.		3		17	13 00		3 00
22	do upholsterers.							
23	John H Marks, carriage factory.		6	4		8 50	3 00	
24	Hicks & Higgins do							
25	Robt. Ehrhart, electro-plater and bronzer.							
26	Record Foundry and Machine Shop Co.		25	2		9 00	3 00	
27	J. R. Foster, flour mills, steam.							
28	Chas. Elliott, gunsmith.							
29	John Humphrey, grist mill.		2			6 00		
30	M. G. Ayer, harness maker.							
31	E. W. Steeves, harness and saddlery							
32	Mr. Jondry, jeweller.							
33	Moncton Universal Knitting Machine Co.							
34	Knitting Machine Shop.							
35	G. T. Harrop, laundry.							
36	Peters Combination Lock Co.							
37	Jonathan Wier, Moncton machine shop.		6	2		9 00	3 00	
38	H. G. & F. A. Marr, milliners.							
39	Miss Wesley McLeod do							
40	Rowe & Garrick, plumbers, gas-fitters and tin plate makers.							
41	Ferguson & Watson, plumbers, gas-fitters and steamfitters.		2			12 00		
42	Wm. Givan, ginger pop factory.		2	1		11 00	3 00	
43	J. Doucette, ginger ale factory.							
44	O. K. Rogers, painter.		2			8 00		
45	E. M. Estey, mfg. pharmacist and chemist.							
46	Lea & Rogers, sash, door and blind factory and planing mill.							
47	Peters Bros. do do							
48	J. & S. Winter, stove, furnace, range, &c., manf.		2			9 00		

## Enterprises, Employment Force, Wages Paid, &amp;c., &amp;c.—Continued.

Hands employed in 1884.			Average rate of wages per week.			Capital Invested.	Output thereof.	Date of Establishment.
M.	B.	F.	M.	B.	F.			
			\$ cts	\$ cts.	\$ cts.	\$ cts.	\$ cts.	
15			9 00			15,000 00	17,000 00	March, 1884.
3			7 00			paid up. 600 00	3,000 00	1882.
4			7 00			200 00	2,500 00	January, 1884.
5			7 00			600 00	3,000 00	1879.
2			7 50			300 00	2,400 00	1882.
3			7 00			300 00	2,000 00	
8			9 00			5,000 00	10,000 00	1871.
1	1		8 00	4 50		400 00	2,000 00	1883.
3			8 00			300 00	2,500 00	1879.
4			6 00			1,500 00	3,000 00	1854.
2			6 00			300 00	1,200 00	1st Sept., 1884.
3			7 00			300 00	1,200 00	1880.
20			9 00			4,000 00	15,000 00	1876.
6			9 00			2,000 00	6,700 00	1884.
7			9 00			2,500 00	7,800 00	1881.
40			7 00			5,000 00	8,000 00	1859.
20			7 00			2,500 00	4,000 00	1881.
3			8 00			25,000 00	10,000 00	1875.
57	14	100	9 00	2 00	3 00	240,000 00	150,000 00	1882.
6			10 00			2,000 00	10,000 00	1882.
3		17	12 00		3 00	6,000 00	10,000 00	1868.
1		2	15 00		3 00	2,700 00	5,000 00	1881.
10	4		9 00	3 50		7,500 00	15,000 00	1873.
3			9 00			400 00	1,000 00	March, 1884.
3	1		7 50	3 00		500 00	4,000 00	1880.
38	4		11 00	4 00		35,000 00	55,000 00	1853.
4	2		10 75	3 00		14,000 00	8,000 00	1881.
1			12 00			1,000 00	1,500 00	May, 1882.
2			6 00			5,000 00	8,000 00	Running for many years.
6			9 00			1,500 00	6,000 00	1881.
3	1		9 00	2 50		1,500 00	5,000 00	January, 1884.
2			9 00			1,000 00	2,250 00	1880.
1		35	30 00		3 00	50,000 00	15,000 00	1882.
8			10 00			80 p.c. p'd up 7,600 00		March, 1883.
1		4	6 00		3 00	300 00	1,000 00	February, 1884.
50			6 00			140,000 00	50,000 00	1880.
7	3		10 00	3 00		10,000 00	5,000 00	1857.
		18			4 00	5,000 00	6,500 00	1880.
		2			6 00	1,000 00	1,500 00	April, 1883.
4			9 00			1,000 00	4,000 00	August, 1884.
4	2		12 00	5 00		5,000 00	8,000 00	1878.
2	1		11 00	3 00		4,000 00	3,500 00	1872.
2			8 00			2,000 00	2,270 00	1884.
5			9 00			400 00	4,000 00	
3		1	7 50		3 00	4,500 00	10,000 00	1882.
22	1		9 00	3 00		9,000 00	15,000 00	July, 1883.
70			8 40			8,000 00	60,000 00	1881.
7	2		9 00	2 50		8,000 00	17,000 00	1876.



## TABULAR STATEMENT giving Designation of Manufacturing

No.	Name and Industry.	Location.	Hands employed in 1878.			Average rate of wages per week.		
			M.	B.	F.	M.	B.	F.
	<i>Moncton—Continued.</i>					\$ cts.	\$ cts.	\$ cts.
49	Louis Estano, stove and tinware manf.....							
50	Josephus Howard, soap factory....							
51	Wm. S. Torrie do .....		7			8 40		
52	John Humphrey, saw mill.....		10			6 00		
53	Moncton Sugar Refining Co .....							
54	E. C. Cale, tailor.....							
55	W. T. Newman, tailor.....							
56	J. W. Whitehead do .....							
57	Jas. M. Ross do .....		2		6	10 00		4 00
58	Jas. Flannigan do .....							
59	A. A. Tuttle, undertaker .....		2			8 00		
60	J. Glendenning do .....							
61	Humphrey & Snow, woollen mills.							
62	Wm. Summers, baker.....							
	<i>*Sackville, Westmoreland Co., N.B.</i>							
1	Abner Smith, boot and shoe factory and tannery.....		18		4	9 00		3 00
2	Geo. E. Ford, clothing manf.....							
3	F. Allison do .....							
4	Chas. A. Doull, furniture factory.							
5	E. Cogswell & Co., colonial foundry .....		15	2		9 00	3 00	
6	Fawcett's Sackville stove foundry.....		20			8 00		
7	Ayers' tannery and larrigan factory.....		15			6 00		
	<i>†Sussex, King's County, N.B.</i>							
1	White, McRobbie & Clerk, boot and shoe factory.....							
2	Sussex butter factory .....							
3	Oliver Haley, carriage factory.....		4			8 00		
4	Duncan Gamblin do .....							
5	R. E. McLeod, manager, Studholm and Sussex cheese factory .....		2			10 00		
6	Hagerty's grist, carding and saw mills.....		3			7 00		
7	Ross & McPherson, furniture factory.....		7			8 00		
8	Wm. Hanes, Sussex foundry .....		4			7 50		
9	Mr. Trenholm, manf. hay presses.....							No date—
10	P. Pittfield, sash factory.....		4			8 00		
11	White, Upham & White, tannery.....		12			6 60		
12	C. E. Fowler do ...							
13	Davis, Hayden & Davis, wooden-ware factory .....							

\*In addition to the establishments noted above, there are four or five of small dimensions who cater for the wants of man and woman, and employ a few workpeople, the weekly wages of which would certainly reach \$130 per week.

† There should be added to the foregoing workshops of the following kinds : bakery, 1; shoe-makers, 4; carriage builder, 1; blacksmiths, 2; milliners, 6; tailors, 3; and some two or three others. The weekly wages of these employments would amount to from \$250 to \$300 per week.

## Enterprises, Employment Force, Wages Paid, &amp;c., &amp;c.—Continued.

Hands employed in 1884.			Average rate of wages per week.			Capital Invested.	Output thereof.	Date of Establishment.
M.	B.	F.	M.	B.	F.			
			\$ cts.	\$ cts.	\$ cts.	\$ cts.	\$ cts.	
5			7 00			3,000 00	5,600 00	February, 1881.
6			6 50			2,500 00	20,000 00	November, 1883.
7			8 40			5,000 00	6,000 00	1862.
18			6 00			20,000 00	60,000 00	
							1,500,000 ft. lumber per year.....	Running for many years.
80			7 50			150,000 00	1,250,000 00	1880.
5		15	10 00		5 00	3,000 00	12,000 00	1879.
4		7	10 00		3 50	1,500 00	7,000 00	July, 1883.
3		11	10 00		4 00	3,000 00	14,000 00	1881.
4		15	10 00		4 00	6,000 00	18,000 00	1877.
3		5	7 00		3 00	1,000 00	4,000 00	1882.
2			8 00			1,000 00	3,000 00	
2			8 00			800 00	2,800 00	
10		10	7 80		3 00	30,000 00	20,000 00	1882.
2	1		9 00	3 00		2,000 00	6,000 00	1881.
24		5	9 00		4 00	8,000 00	25,000 00	1867.
3		4	10 00		3 50	4,000 00	10,000 00	1874.
3		5	10 50		3 00	3,000 00	6,000 00	1879.
2	2		8 00	3 00		2,000 00	3,000 00	1880.
18	2		10 00	5 00		20,000 00	20,000 00	1876.
40	6		9 00	3 00		60,000 00	60,000 00	1864.
40	4	2	7 00	2 50	4 00	15,000 00	40,000 00	1869.
27	10	18	8 00	2 50	2 75	30,000 00	65,000 00	1882. 11 years ago under a com <sup>y</sup>
2	1		7 00	3 00		2,000 00	5,838 00	pany. July, 1884.
2	1		9 00	3 00		1,000 00	2,000 00	1876.
3			8 00			1,200 00	1,400 00	1879.
3			10 00			3,000 00	6,000 00	1870.
5			7 00			4,000 00	8,250 00	1869.
7			8 00			3,000 00	5,000 00	1876.
4	2		9 00	3 00		1,500 00	3,000 00	1875.
proprietor away.								1883.
6			10 00			3,000 00	7,000 00	1877.
16			7 20			20,000 00	56,000 00	1873.
2			8 00			1,500 00	6,000 00	1881.
4	3		7 50	2 50		3,000 00	6,100 00	1883.



## TABULAR STATEMENT giving Designation of Manufacturing

No.	Name and Industry.	Location.	Hands employed in 1878.			Average rate of wages per week.		
			M.	B.	F.	M.	B.	F.
St. Stephen and Milltown.								
1	Brood & Sons, axe and tool factory	St. Stephen.....	14			\$ 9 00		
2	Ganong Bros., confectioners .....	do .....	5	5		10 00	3 00	
3	W. W. Clerke do .....	do .....						
4	B. R. DeWolfe, carriage builder ...	do .....	4			9 00		
5	John Mudge do ...	do .....	3			10 00		
6	H. E. Purrington, cabinet maker.	do .....						
7	J. W. Moore & Son do ...	do .....	3			9 00		
8	G. L. & H. McKeon, clothiers .....	do .....						
9	Vroom Bros., furniture manf.....	do .....	3			9 00		
10	Laren Thompson, grist mill.....	do .....						
11	Samuel Almon, granite works.....	do .....	12			9 00		
12	Henry McAllister, harness manf....	do .....	3			9 00		
13	John Ryder do ...	do .....	3			9 00		
14	C. B. Eaton & Co., larrigan factory	do .....	4			7 50		
15	do tannery .....	do .....						
16	Fred. Ham, tailor.....	do .....						
17	P. G. McKeon do .....	do .....	2		12	12 00		3 00
18	Ganong Bros., soap factory.....	do .....						
19	F. H. Todd & Sons, saw mill. ....	do .....	22			7 50		
20	J. D. Andrews, axe factory. ....	Milltown .....	6			10 00		
21	St. Croix cotton mill. ....	do .....						
22	M. McDonald & Sons, machinists. ....	do .....	5			10 50		
23	Eaton Bros., saw and planing mil <sup>l</sup>	do .....	{ 115			8 00		
			{ +200			7 00		
24	Jas. Murchie & Sons, saw mill.....	do .....	{ 100			8 00		
			{ +300			7 00		
25	do do .....	Deer Lake.....	22			8 00		
Halifax.								
1	John Rose, brush factory.....	North-west Arm .....	4			5 00		
2	Rose Bros. do .....		12			8 00		
3	C. E. Tyler & Son do .....							
4	Geo. Thompson, broom factory. ....							
5	Halifax do .....							
6	Acadia steam biscuit and confectionery works .....		9	6	3	10 00	2 00	4 00
7	Moir, Son & Co., bread, biscuit and confectionery works. ....		40	40		7 00	2 50	
8	J. J. Scrinen & Son, bakery. ....		4			7 50		
9	A. Keith & Son, brewery .....		12			7 00		
10	Foyle's brewery, P. & J. O'Mullin proprietors .....		12			8 00		
11	Jones' Brewing Company.....		6			8 00		
12	John Hunter, brass founder .....		6			10 00		
13	Watson & Myers do and finishers .....		7	3		8 00	2 00	
14	Macdonald & Co., brass founders, steam and hot water engineers, plumbers, gasfitters and roofers..							
15	John Patterson, boilermaker .....		20	2		9 00	2 50	Decline to
16	Barry & Evans do .....							

† Lumbermen.

## Enterprises, Employment Force, Wages Paid, &amp;c., &amp;c.—Continued.

Hands employed in 1884.			Average rate of wages per week.			Capital Invested.	Output thereof.	Date of Establishment.
M.	B.	F.	M.	B.	F.			
			\$ cts.	\$ cts.	\$ cts.	\$ cts.	\$ cts.	
15			9 50			15,000 00	15,000 00	1871 in Milltown; removed to St. Stephen in 1883.
22	18	25	12 00	3 50	3 50	30,000 00	200,000 00	1871.
6	2	5	13 00	5 00	3 00	5,000 00	25,000 00	1880.
10	2		11 00	4 00		4,500 00	9,000 00	1865.
4			12 00			1,000 00	3,500 00	1878.
3			9 00			4,000 00	6,000 00	1883. Succeeded J. W. Moore & Son.
						4,000 00	6,000 00	1854. Succeeded in 1883 by H. E. Purrrington.
1		14	15 00		3 50	4,500 00	8,500 00	1880.
9			11 50			8,500 00	20,993 00	1878.
3			9 00			8,000 00	3,000 00	1882.
12			12 00			8,000 00	12,000 00	1878.
3			7 50			4,000 00	4,000 00	1866.
3			8 00			1,500 00	3,500 00	1842.
10			9 00			14,000 00	16,000 00	1872.
5			8 00			12,000 00	12,000 00	Run in 1878 for a while, but shut down for some years, and start- ed by C. B. E. & Co.
2		14	14 50		5 00	4,000 00	13,500 00	1883.
1		6	8 00		4 50	800 00	3,000 00	
6	2		10 00	3 00		8,000 00	16,200 00	1879. Capital at start, \$4,000; output of 1879, \$5,400.
11			7 50			13,000 00	15,000 00	1850.
10			10 50			10,000 00	10,000 00	1869.
525 hands all grades			5 07			1,100,000 00	120,000 lbs	cotton with Spring of 1884.
8			10 50			10,000 00	10,000 00	1871.
115			8 00			175,000 00	200,000 00	1844, by father; 15 yrs. by present firm; have 100 horses in woods.
200			7 00					
150			9 00					
400			7 00			220,000 00	170,000 00	1854. Have 200 horses in woods.
22			9 00			23,000 00	21,000 00	1874.
4			5 00			4,000 00	8,000 00	1877.
4			6 00			2,000 00	2,000 00	1877.
9		1	8 00		3 00	5,000 00	20,000 00	Stopped early in October, 1884.
7	1		8 00	2 50		2,000 00	12,000 00	1881.
17	11	2	11 00	2 00	4 00	25,000 00	50,000 00	Confectionery, 1868; biscuit, 1882.
60	45	25	8 00	2 50	2 50	130,000 00	200,000 00	1854.
4			8 00			10,000 00	10,000 00	
12			7 00			141,933 00	51,880 00	1820.
17			8 00				50,000 00	
8			8 00			12,000 00	12,500 00	1883 as a company; running 60 years in all.
2	2		12 00	2 50		6,000 00	10,000 00	1862.
7	3		10 00	3 00		9,000 00	9,000 00	1878.
give information.								1865.
50	2		9 00	3 00		12,000 00	20,000 00	1874.
15	3		9 00	3 00		3,000 00	20,000 00	1882.



## TABULAR STATEMENT giving Designation of Manufacturing

No.	Name and Industry.	Location.	Hands employed in 1878.			Average rate of wages per week.		
			M.	B.	F.	M.	B.	F.
	<i>Halifax—Continued.</i>					\$ cts.	\$ cts.	\$ cts.
17	A. Bliss & Co., boot and shoe factory							
18	R. Taylor, Halifax do		80	30	40	8 00	3 00	3 00
19	S. M. Brookfield, builder and contractor		75			8 00		
20	J. J. Carnell, carriage factory							
21	Thos. Spellman do		12			8 00		
22	A. Lamphier do		12			8 00		
23	De Wolfe's Steam do and spoke works		20	5		9 00	3 00	
24	Doull & Miller, clothing manfs.		20		128	10 00		4 00
25	Clayton & Sons do		15	2	60	11 00	2 00	3 00
26	Maurice Kavanagh, cooperage		2			9 00		
27	Alfred Graves do		6			9 00		
28	Nova Scotia Cotton Manufg. Co.							
29	Errington & Gibson, South End door, sash and moulding factory		6			9 00		
30	Scotch dye works							
31	J. Roue, aerated water, soda, &c.							
32	John Thompson, iron foundry							
33	Douglas & Co., North Ferry iron foundry		7	2		8 00	1 50	
34	James Willis, Richmond iron foundry		8	6		6 00	3 00	
35	A. Stephen & Sons, furniture fac.		8			8 00		
36	McEwan & Co. do		20	4		9 50	2 50	
37	Gordon & Keith do							
38	Jack & Bell, fertilizer factory		2		9	12 00		3 50
39	C. Kaizer & Sons, furriers							
40	W. C. Archibald & Co., Acadia knitting factory							
41	Halifax steam laundry		2		4	6 00		4 00
42	Heffeman's mattress factory							
43	Griffin & Keltie, marble works		3			7 00		
44	Geo. A. Sanford do		12	3		10 00	2 50	
45	Alex. Moir & Sons, machine shops and foundry		16	3		9 00	4 00	
46	W. W. Howell & Co. do		9			10 00		
47	Eureka match factory, J. M. Chase, prop.		1	1	10	7 00	2 00	3 75
48	Chebucto planing and moulding mill		10			7 50		
49	Jas. Dempster & Co., Prince Albert planing and moulding mill		26	4		8 40	2 50	
50	Henderson & Potts, paint factory.	North-West Arm						
51	Imperial Paint Co.							
52	Muirhead & Co., plumbers and gasfitters		4	3		10 00	3 00	
53	Philip W. Leverman, pianoforte factory							
54	Williams & Leverman do		11			7 50		
55	Enfield pottery and brickyard, Smith & Kaye, props.	Hants Co., 30 m. from Halifax						
56	Acadia Powder Co., C. Wylde, Sec.	15 m. from Halifax	34			7 00		
57	Halifax rolling mill & nail factory		15			7 50		
58	Nova Scotia sugar refinery.		33			9 00		
59	Halifax do							
60	Atlantic Sugar House Co., water-power							

Enterprises, Employment Force, Wages Paid, &c., &c.—Continued.

Hands employed in 1884.			Average rate of wages per week.			Capital invested.	Output thereof.	Date of Establishment.
M.	B.	F.	M.	B.	F.			
			\$ cts.	\$ cts.	\$ cts.	\$ cts.	\$ cts.	
26	2	7	7 50	2 50	4 00	10,000 00	40,000 00	1883.
60	30	40	7 00	3 00	3 00	50,000 00	180,000 00	1870.
170			9 00			25,000 00 in factory.	150,000 00	1870.
5	3		8 00	2 50			16,000 00	1875.
12			8 00			11,000 00	12,000 00	1864.
12			8 00			17,000 00	9,000 00	1861.
22	3		10 00	3 00		40,000 00	30 000 00	1857.
22		128	9 00		4 00	140,000 00	160,000 00	1872.
22	2	152	11 00	2 00	3 50	75,000 00	80,000 00	
2			9 00			500 00	3,000 00	1873.
8	1		9 00	2 00		800 00	6,000 00	1838.
52	67	{ 54 107 }	7 00	2 50	{ 4 50 2 50 }	300,000 00	150,000 00	1883.
8			9 50			13,000 00	6,000 00	1878.
4		3	10 00		4 00	300 00	6,000 00	1878.
12			9 00			5,000 00	15,000 00	April, 1879.
4			6 00			2,000 00	6,500 00	1882.
11	5		11 00	2 50		3,000 00	8,000 00	1876.
15	10		6 30	3 00		17,000 00	27,000 00	1875.
24	2		9 50	2 50		16,000 00	20,000 00	1881.
10			8 00			5,000 00	10,000 00	1864.
32	9		9 50	2 50		52,000 00	50,000 00	1860.
2		10	12 00		3 50	5,000 00	25,000 00	1878.
2	1	67	10 00	2 00	3 00	6,000 00	25,000 00	June, 1884; 25 years by C. K.
3		13	7 50		4 50	2,000 00	8,500 00	1881.
4			9 00			500 00	5,000 00	1877.
7			7 00			8,000 00	14,000 00	1883.
8	2		10 00	2 50		3,000 00	17,000 00	1884; Griffin, 1874.
16	4		10 00	4 00		20,000 00	15,000 00	1864.
6			10 00			12,000 00	12,000 00	1862.
3		8	7 00		3 75	5,000 00	17,000 00	1874.
5			8 25			14,000 00	10,000 00	1873.
33	4		9 60	3 50		35,000 00	70,000 00	1872.
6	4		8 00	3 00		15,000 00	25,000 00	1870.
1	1		10 00	2 00		2,000 00	2,500 00	1879.
4	3		10 00	3 00		3,000 00	10,000 00	October, 1882.
3			13 00			3,000 00	4,000 00	1866.
7			7 00			12,000 00	12,000 00	August, 1882.
34			7 00				30,000 00	1865.
14	14		7 50	4 00		100,000 00	50,000 00	1874.
28			7 00			40,000 00	28,000 00	1869.
150			8 00			350,000 00	2,100,000 00	1877.
200			7 50			400,000 00	3,600,000 00	1880.
25			6 50			125,000 00	725,000 00	September 1, 1884.



TABULAR STATEMENT giving Designation of Manufacturing

No.	Name and Industry.	Location.	Hands employed in 1878.			Average rate of wages per week.		
			M.	B.	F.	M.	B.	F.
Halifax—Concluded.						\$ cts.	\$ cts.	\$ cts.
61	E. L. Fennerty, skate, axle and shovel factory.....	North-West Arm.....	4	3	.....	7 00	3 00	.....
62	W. McFatridge, stove fitter, tin worker and roofer.....		10	.....	.....	7 00	.....	.....
63	Longard Bros., stove fitters, steam & hot-water engineers, machinists, &c. ....		20	10	.....	9 00	2 00	.....
64	Brown & Webb, spice factory .....		2	2	4	7 00	3 00	2 50
65	W. H. Swartz, spice & coffee mills .....		4	.....	.....	7 00	.....	.....
66	J. Nash & Co., soda water factory .....		3	.....	.....	7 00	.....	.....
67	Ald. McDougall do .....		8	.....	.....	8 00	.....	.....
68	Chas F. Mott, soap factory .....		7	.....	.....	6 00	.....	.....
69	Mayflower tobacco factory.....		.....	.....	.....	.....	.....	.....
70	Stewart Tremaine, tobacco factory .....		8	.....	72	6 00	.....	2 50
71	Sarre Tobacco Mfg. Co.....		.....	.....	.....	.....	.....	.....
72	Davidson & McManus, merchant tailors .....		.....	.....	.....	.....	.....	.....
73	Three Mile House tannery.....		.....	.....	.....	.....	.....	.....
74	Howard Waterproof Mfg. Co. ....		.....	.....	.....	.....	.....	.....
Dartmouth.								
1	S. Oland, Son & Co., brewery.....	.....	12	.....	.....	6 25	.....	.....
2	W. Symmonds & Co., foundry.....		60	.....	.....	10 00	.....	.....
3	Frederick Scott, planing mill .....		9	.....	.....	6 00	.....	.....
4	Dartmouth ropewalk works .....		45	47	9	7 10	2 20	3 00
5	Starr Mfg. Co., skates, spikes, nails, &c. ....		40	7	.....	8 00	2 50	.....
6	John P. Mott, spice factory, soap works and lime maker.....		Decline to give information.					
7	Muniford & Sons, ships' knees and general forging factory.....		40	.....	.....	9 00	.....	.....
8	Allan's tannery.....		2	.....	.....	7 00	.....	.....

Besides industries whose force is enumerated in the foregoing table, there are, in number of about 518. These give employment, taking a fair average estimate, to three classes of workers might fairly be estimated at \$16,000, which in the run of a the earnings of the workers, not included in the tabular list, some \$556,100.

The capital invested in the several employments would be difficult accurately to together would rank in the millions.

The industrial establishments in the city of Halifax, not included in the tables powder maker, 1; billiard table maker, 1; blacksmiths, 14; blank book manufacturers, 4; boot and shoemakers, 47; boot and shoe manufacturer, 1; brass founders and 11; carriage, axle and spring manufacturer, 1; carvers and gilders, 3; clothiers, 18; 5; dyers and scourers, 5; engravers, 2; florists, 4; furriers, 6; gunsmiths, 3; hair-silversmiths, 20; laundry, 1; lobster cannery, 2; locksmiths and bell hangers, 3; facturers, 3; masons and plasterers, 8; merchant tailors, 20; milliners and dress- of newspapers, 5; printers, general work, 8; riggers, 3; sailmakers, 6; sausage 3; tinsmiths, plumbers and gasfitters, 16; trunk manufacturers, 2; undertakers, 8;

In Dartmouth, the industries not embraced in the tables are about as follows:—wrights, 2; confectioner, 1; contractor, 1; gunsmith, 1; hairdressers, 3; merchant 1; tinsmiths, plumbers and gas fitters, 2; undertakers, 3; watchmakers and jewellers,

## Enterprises, Employment Force, Wages Paid, &amp;c., &amp;c.—Continued.

Hands employed in 1884.			Average rate of wages per week.			Capital invested.	Output thereof.	Date of Establishment.
M.	B.	F.	M.	B.	F.			
			\$ cts.	\$ cts.	\$ cts.	\$ cts.	\$ cts.	
4	1	.....	7 00	3 00	.....	9,000 00	4,000 00	1872; shovels and axles, 1884.
10	.....	.....	7 00	.....	.....	10,000 00	25,000 00	Tin, 1869; roofing, 1876.
26	10	.....	11 00	2 50	.....	20,000 00	40,000 00	1878; father, 75 years ago.
4	2	7	7 00	3 00	2 50	3,000 00	10,000 00	1878.
5	2	.....	7 00	2 50	.....	.....	8,000 00	1841.
3	.....	.....	7 00	.....	.....	3,000 00	3,000 00	1874.
8	.....	.....	8 00	.....	.....	8,000 00	10,000 00	1862.
4	.....	.....	6 00	.....	.....	26,000 00	10,000 00	1854.
17	.....	.....	6 00	.....	.....	15,000 00	40,000 00	October 20, 1884.
5	.....	.....	6 00	.....	.....	7,000 00	8,000 00	1854.
3	.....	12	6 00	.....	3 00	7,000 00	27,000 00	October, 1882.
4	.....	20	10 00	.....	5 00	5,000 00	25,000 00	March, 1884.
12	.....	.....	7 00	.....	.....	45,000 00	52,000 00	1880.
10	.....	20	7 00	.....	4 00	2,000 00	30,000 00	1883.
20	.....	.....	6 50	.....	.....	65,000 00	90,000 00	1867.
42	.....	.....	10 00	.....	.....	25,000 00	60,000 00	1854.
4	.....	.....	9 60	.....	.....	15,000 00	7,000 00	1872.
90	33	33	7 00	2 85	3 60	350,000 00	305,000 00	Commenced, '68; in operation, '69.
150	19	.....	9 00	3 50	.....	200,000 00	160,000 00	1868.
.....	.....	.....	.....	.....	.....	.....	2,000 00	1847.
20	.....	.....	9 00	.....	.....	25,000 00	15,000 00	1876; small concern 32 years ago.
2	.....	.....	7 00	.....	.....	600 00	.....	.....

the city of Halifax and in Dartmouth, establishments of an industrial kind to the 1,953 men, about 563 females and 500 boys. The average weekly wages of these year, deducting say 10 per cent. for broken time, from whatever cause, would make

gauge; but it is fair to presume that the 500 and odd establishments bulked

annexed, are, as nearly as can be ascertained, about as follows:—Bakers, 18; baking 4; blind maker, 1; block and pump maker, 3; boat and shipbuilders, 4; bookbinders, coppersmiths, 3; builders, 45; cabinetmakers, 9; carriage builders and wheelwrights, confectioners, 14; contractors, 6; coopers, 8; cordial and soda water manufacturers, dressers, 17; harness-makers and saddlers, 6; hat manufacturers, 2; jewellers and looking glass and picture frame makers, 3; machinists, 2; mantle and robe manufacturers, 19; painters, 13; paper bag manufacturers, 3; photographers, 7; printers makers, 9; shipsmiths, 4; silver and gold platers, 2; sparmakers 3; taxidermists, watchmakers and jewellers, 22; wharf builders, 8.

Blacksmiths, 6; boot and shoemakers, 3; builders 6; carriage builders and wheel-tailors, 3; milliners and dressmakers, 2; painters, 2; sausage makers, 1; shipsmiths, 1; Marine Railway, average 30.



TABULAR STATEMENT giving Designation of Manufacturing

No.	Name and Industry.	Locality.	Hands employed in 1878.			Average rate of wages per week.		
			M.	B.	F.	M.	B.	F.
	<i>*Truro, N.S.</i>					\$ cts.	\$ cts.	\$ cts.
1	D. S. Crowe, carriage factory .....							
2	Geo. Jacobs do .....							
3	D. Linton do and sleigh. ....		3			9 00		
4	Truro Condensed Milk and Can- ning Co. ....							
5	Truro furniture factory .....		12			7 00		
6	Spencer Bros. & Turner, furniture and woodworking factory .....							
7	Clish, Crowe & Co.'s iron foundry.		20	3		8 00	3 00	
8	T. G. McMullen, grist mill .....							
9	Uraig & Webster, Truro hat factory .....		7	3	4	8 00	3 50	3 50
10	Chas. Pennfield, knitting factory.							
11	Robt. Hopper & Son, last and bobbin factory .....		3	1		9 00	3 00	
12	John Lewis & Son, last and peg factory .....				7	6 00		3 00
13	Alex. Miller, marble works .....		3			7 00		
14	A. J. Walker do .....		4			7 00		
15	Gates' Organ and Piano Co .....							
16	T. G. McMullen, Victoria steam saw mill .....		17	3		7 20	3 00	
17	T. G. McMullen, Salmon River saw mill .....							
18	T. G. McMullen, Debert saw mill...							
19	T. W. Archibald, tannery .....							
20	Union woollen mills .....	Brookside, 1½ mile from Truro. ....	5		12	9 00		3 00
	<i>†New Glasgow, N.S.</i>							
1	Cumming Bros., furniture factory..		11			7 50		
2	Hugh Ross do .....		4			7 50		
3	Fraser Bros. do .....							
4	F. Mathewson, Acadia foundry....		21	4		7 10	2 15	
5	Nova Scotia Forge Co .....		40			7 50		
6	do Glass Co .....							
7	John Stewart, plough and iron bridge factory .....							
8	Donald Grant, sash and blind fac- tory .....		25			8 00		
9	Francis Drake, soda water factory.		2			7 00		
10	Nova Scotia Steel Co .....							
11	New Glasgow tannery, J. C. Mc- Gregor .....		10			6 50		
	<i>Londonderry, N.S.</i>							
	Steel Company of Canada, limited.		500			6 60		

\* Besides the establishments enumerated in the foregoing, there are six harness makers, four bakers, half a dozen boot and shoemakers, four custom tailors, half a dozen blacksmiths' shops, and several carpenters, all conducting business in a small way and employing labor, the total force. proprietors included, amounting to from 75 to 80 persons, the weekly wages of whom would probably amount to from \$550 to \$600.

† In addition to the foregoing there is the usual number of small industries, such as shops for tailors, boot and shoemakers, bakers, milliners, dressmakers, barbers, carpenters, &c., the total of whose weekly wages would probably run up to \$400.

Enterprises, Employment Force, Wages Paid, &c., &c.—*Continued.*

Hands employed in 1884.			Average rate of wages per week.			Capital Invested.	Output thereof.	Date of Establishment.
M.	B.	F.	M.	B.	F.			
			\$ cts.	\$ cts.	\$ cts.	\$ cts	\$ cts.	
4	1	.....	9 00	2 00	.....	1,500 00	3,500 00	
4	.....	.....	9 00	.....	.....	2,000 00	2,700 00	1881.
6	2	.....	9 00	3 00	.....	4,000 00	6,000 00	May, 1877.
10	2	.....	11 00	4 50	.....	15,000 00	26,000 00	June 20, 1883.
12	.....	.....	9 00	.....	.....	20,900 00	10,000 00	1870.
5	1	.....	9 00	2 00	.....	3,000 00	6,600 00	May, 1884.
34	6	.....	10 00	3 50	.....	30,000 00	45,000 00	1864.
3	.....	.....	8 40	.....	.....	10,000 00	12,000 00	1881.
15	2	8	10 00	3 50	5 00	22,000 00	55,000 00	1876.
5	.....	15	7 50	.....	3 25	15,000 00	23,500 00	June, 1881.
3	1	.....	9 00	3 00	.....	2,500 00	4,831 00	1878.
18	.....	7	7 50	.....	3 50	15,000 00	15,000 00	1864.
3	.....	.....	8 00	.....	.....	2,000 00	3,000 00	1864.
5	.....	.....	8 00	.....	.....	9,000 00	6,000 00	1864.
20	.....	.....	9 00	.....	.....	28,000 00	25,000 00	October, 1881.
24	.....	.....	8 76	.....	.....	25,000 00	30,000 00	1874.
12	.....	.....	7 50	.....	.....	10,000 00	10,000 00	1880.
24	.....	.....	7 50	.....	.....	25,000 00	20,000 00	1881.
6	.....	14	9 00	.....	3 25	30,000 00	10,000 00	Closed two years ago, the owner being aged and incapable. Enlarged three years ago.
13	.....	.....	9 00	.....	.....	20,000 00	12,000 00	1868.
4	.....	.....	9 00	.....	.....	5,000 00	4,500 00	1878 by Ross, two years preceding by another.
2	.....	.....	9 00	.....	.....	2,500 00	2,300 00	May, 1884.
40	7	.....	7 10	2 30	.....	40,000 00	76,669 00	1867.
60	.....	.....	7 50	.....	.....	50,000 00	130,000 00	Since 1872.
95	15	.....	8 00	3 00	.....	45,000 00	90,000 00	1881.
7	.....	.....	8 00	.....	.....	4,000 00	7,800 00	1879.
40	.....	.....	9 00	.....	.....	15,000 00	25,000 00	Since 1876.
2	.....	.....	7 00	.....	.....	4,000 00	4,000 00	1871.
100	2	.....	7 50	3 00	.....	160,000 00	300,000 00	January, 1884.
15	.....	.....	7 25	.....	.....	10,000 00	40,000 00	1844.
625	.....	.....	7 20	.....	.....	£300,000 stg	{ 16,000 to 18,000 tons pig iron; 6,000 tons bar iron. }	{ Iron works, 1840; commenced active operations in 1852; Steel Co. started 1874, active operations commenced 1877.



## TABULAR STATEMENT giving Description of Manufacturing

No.	Name and Industry.	Location.	Hands employed in 1878.			Average rate of wages per week.		
			M.	B.	F.	M.	B.	F.
*Amherst, N.S.						\$ cts.	\$ cts.	\$ cts.
1	Amherst Boot & Shoe Mfg. Co.....		40	6	14	7 50	2 00	3 00
2	Holmes & Hicks, carriage factory .....		6	4		7 50	2 50	
3	Lawson & Wallace do .....							
4	Rhodes, Curry & Co, contractors and builders, and proprietors of Amherst Wood-Working Co.....		15			8 00		
5	Christie Bros. & Co., coffin and casket factory .....							
6	Chapman Bros., custom clothing .....		4		10	10 00		4 00
7	Dunlop, McDonald & Co. do .....		5		10	8 00		3 00
8	Brigelow & McDonald, ginger ale and soda factory .....							
9	S. B. Andrews, marble works.....							
10	A. Robb & Sons, Amherst stove and machine works.....		31	4		10 80	3 00	
11	Mr. Lusby, tannery.....							
12	C. R. Casey & Son, tannery and larrigan factory.....		7			6 00		
13	Weeks' upholstery.....		2			8 00		
Charlottetown, P.E.I.								
1	Albert D. Deuchemin, blockmaker .....		4	1		7 00	2 00	
2	Doney, Goff & Co., boot and shoe factory .....							
3	John Quirk, steam bakery .....		8			7 00		
4	Brighton Brewery .....		10			6 00		
5	Martin Flood, brickyard.....							
6	John McPhail, carriage factory...		7	2		7 00	3 00	
7	Joseph Seaman do .....		31	3		8 00	2 50	
8	Holland & Scott do .....		15			7 00		
9	Large & Son do .....		6			7 00		
10	McKee & McDougall do .....							
11	Younger & Offer do .....		4	2		7 00	2 50	
12	Geo. Scantleberry do .....		4			7 00		
13	Timothy Carroll do and blacksmith .....							
14	Vatcher & Murphy, confectionery .....							
15	John Newson, furniture factory...		38	4		7 00	2 50	
16	Mark, Wright & Co. do .....							
17	McKinnon & McLean, foundry and machine shop.....		18	3		6 00	2 00	
18	A. White & Son, foundry and machine shop .....		15			6 60		
19	A. N. Large, ginger pop and gin- ger ale .....		2	1		6 00	3 00	
20	Robert Toombs, harness factory ...							
21	George Carver do .....							
22	John Stumbles do .....		7			5 50		
23	E. G. Hunter, marble works.....		2			7 00		
24	James Philips do .....		4			9 00		
25	E. F. Purdy do .....		3			8 00		
26	Cairns & McLean do .....		5			8 00		
27	Robert Smallwood, machinist .....		6	6		7 00	2 50	

\*There are also, besides the foregoing, three harnessmakers employing 3 or 4 hands each, one printing office, several horseshoeing establishments, and a few tailors, shoemakers, tinware workers, carpenters, painters, and other shops common to small towns, the weekly wages of which would amount, at a low estimate, to \$400.

## Enterprises, Employment Force, Wages Paid, &amp;c., &amp;c.—Continued.

Hands employed in 1884.			Average rate of wages per week.			Capital Invested.	Output thereof.	Date of Establishment.
M.	B.	F.	M.	B.	F.			
			\$ cts	\$ cts	\$ cts.	\$ cts.	\$ cts.	
76	8	24	8 50	2 00	3 50	40,000 00	170,000 00	1867.
15	3	.....	9 00	3 00	.....	10,000 00	12,000 00	1867.
14	2	.....	8 00	2 50	.....	3,000 00	17,000 00	1882.
150	.....	.....	10 00	.....	.....	41,000 00	200,000 00	1877.
20	2	.....	7 50	2 50	.....	12,000 00	20,000 00	1880.
5	.....	11	10 00	.....	4 00	6,000 00	12,000 00	1870.
7	.....	18	10 00	.....	4 00	12,000 00	20,000 00	1876.
2	.....	.....	7 00	.....	.....	3,000 00	4,000 00	
4	.....	.....	12 00	.....	.....	2,000 00	9,000 00	
42	8	.....	10 80	3 50	.....	50,000 00	60,000 00	1848.
2	.....	.....	9 00	.....	.....	1,000 00	2,200 00	1879.
18	.....	.....	8 00	.....	.....	15,000 00	20,000 00	1878.
3	1	.....	9 00	1 50	.....	2,000 00	4,729 00	1877.
2	3	.....	7 50	3 00	.....	3,000 00	3,500 00	1844.
41	13	6	8 00	2 75	4 00	10,000 00	50,000 00	1881.
6	.....	.....	8 00	.....	.....	10,000 00	20,000 00	Over 27 years.
5	.....	.....	6 00	.....	.....	25,000 00	20,000 00	Over 20 years.
12	.....	.....	6 00	.....	.....	1,000 00	2,000 00	About 1863, by his father.
7	3	.....	7 00	3 50	.....	2,000 00	6,000 00	1855.
7	.....	.....	7 00	.....	.....	1,000 00	8,000 00	1858 by McKinnon & Fraser. in 1878 } 1880 by Fraser. 25,000 00 } 1884 by Seaman. Formerly J. & R. Scott.
6	.....	.....	8 00	.....	.....	2,500 00	8,000 00	
8	.....	.....	8 00	.....	.....	4,000 00	10,000 00	
5	4	.....	8 00	3 00	.....	3,500 00	7,000 00	1880.
6	4	.....	8 00	3 00	.....	3,500 00	10,000 00	1875.
5	.....	.....	8 00	.....	.....	1,000 00	6,000 00	1854.
4	2	.....	9 00	2 50	.....	2,500 00	6,000 00	July 1, 1883.
3	2	.....	7 00	3 00	.....	1,000 00	6,000 00	Spring, 1884.
30	.....	.....	7 00	.....	.....	25,000 00	20,000 00	1859.
16	12	.....	8 00	2 50	.....	8,000 00	30,000 00	June, 1883.
27	9	.....	9 00	3 00	.....	20,000 00	50,000 00	1872.
13	3	.....	7 00	2 50	.....	8,000 00	20,000 00	Over 30 years.
2	1	.....	6 00	3 00	.....	1,000 00	3,000 00	1869.
3	2	.....	6 00	3 50	.....	500 00	4,000 00	1879.
2	.....	.....	6 00	.....	.....	500 00	1,200 00	1883.
4	2	.....	5 50	2 00	.....	2,500 00	4,000 00	1846.
3	.....	.....	8 00	.....	.....	500 00	3,000 00	1875.
4	.....	.....	9 00	.....	.....	1,200 00	3,000 00	1865.
6	.....	.....	9 00	.....	.....	2,000 00	6,000 00	1869.
6	.....	.....	9 00	.....	.....	2,500 00	6,000 00	1864.
6	5	.....	8 00	3 00	.....	5,000 00	7,000 00	1874.



## TABULAR STATEMENT giving Designation of Manufacturing

No.	Name and Industry.	Location.	Hands employed in 1878.			Average rate of wages per week.		
			M.	B.	F.	M.	B.	F.
*Charlottetown, P. E. I.—Con.						\$ cts.	\$ cts.	\$ cts.
28	Owen Connolley, pork packer.....		6			6 00		
29	J. H. Myrick do .....		6			7 00		
30	George J. Wright do .....		6			6 00		
31	A. L. Bridges do .....		12			6 00		
32	W. Brown, gold and silver plater.....							
33	Robt. Palmer & Co., sash and door factory .....							
34	Beer & Sons, soap factory .....							
35	Donald Nicholson, tailor.....							
36	John McLeod & Co. do .....							
37	D. A. Bruce do .....							
38	C. Robertson do .....							
39	London House tailoring establish- ment.....		15		10	10 50		3 00
40	Hickey & Stewart, tobacco factory .....		4		6	7 00		3 50
41	Mrs. Quirk do .....		4	4		7 00	2 00	
42	Stephen Coyle do .....							
43	L. W. Harris, tinsmith & gasfitter .....							
44	A. Herman & Sons do do and plumbers .....		10	2		9 00	5 00	
45	M. Stevenson, tinsmith .....		10			6 00		
46	Matthew Waddell do .....		3	2		7 00	3 00	
47	Edward Love, tannery.....		4			5 00		
48	Donald McKinnon & Co., tannery .....		18			5 00		
49	W. Boyle, tannery.....		10			6 00		
50	James Long, tannery .....		3			6 00		
51	Charlottetown woollen mills. ....							
†Summerside.								
1	Hall, West & Davis, agricultural implements .....		6			6 00		
2	P. T. Fanning, boot and shoe fac- tory.....		4			6 00		
3	Wm. Shea, cooper.....		1	1		6 00	2 00	
4	John Strong & Co., coopers .....		10			7 00		
5	Compton & Webber, furniture fac. .....		7			7 00		
6	Peritz's do .....							
7	G. M. Doull do .....		2	3		7 00	3 00	
8	John Robbins, flour mill (steam); formerly Green's mill .....		4			6 00		
9	Geo. Bishop, Summerside foundry .....		3			7 50		
10	Holman's meat cannery.....							
11	Hon. John Lefurgey, shipbuilder...		38			7 50		
12	Angus McMillan do .....							
13	Clark's saw, shingle and planing mill.....							
14	Holman's tin can factory.....							
15	Clark, Robley & Clark do .....							

\*In addition to industries which appear in the above tabulated statement, there are several small concerns, such as those of tailors, harness makers, photographers, carpenters, painters, masons, blacksmiths and the like, which employ in most cases one, and sometimes two or more hands, but do not use the modern labor-saving appliances to any extent. Probably 70 to 80 persons are thus employed which, at an average of \$7 per week, would make the wages of the higher number \$560 per week.

†In Summerside, besides the foregoing, there are the workshops of 4 blacksmiths, 3 bakers, 2 milliners, 5 boot and shoemakers, 2 carpenters, 2 painters, and also 2 small tanneries, in each of which some two or three hands receive employment, the average weekly wages amounting to some \$250.

## Enterprises, Employment Force, Wages Paid, &amp;c., &amp;c.—Continued.

Hands employed in 1884.			Average rate of wages per week.			Capital Invested.	Output thereof.	Date of Establishment.
M.	B.	F.	M.	B.	F.			
			\$ cts.	\$ cts.	\$ cts.	\$ cts.	\$ cts.	
3			6 00			10,000 00	10,000 00	Over 30 years.
9			7 00			25,000 00	30,000 00	1870.
6			6 00			35,000 00	40,000 00	Over 20 years
15			6 00			30,000 00	120,000 00	1881; father, 20 years.
{ 29 packers in cannery }			4 20					
2			6 00			500 00	2,292 00	1881.
9	3		7 50	2 00		8,000 00	8,000 00	October, 1883.
4			6 00			10,000 00	18,000 00	1883.
3		8	9 00		4 00	4,000 00	12,500 00	1879.
5	2	13	9 00	3 00	4 00	5,000 00	15,000 00	1881.
10		16	7 00		2 50	10,000 00	20,000 00	1879.
12		16	12 00		3 25	20,000 00	30,000 00	1870.
4		8	7 00		3 50	4,000 00	12,000 00	1875.
6	7		7 00	3 00		12,000 00	30,000 00	1859.
4	2		7 00	2 00		1,200 00	4,000 00	1866.
3	3		7 50	2 50		1,500 00	6,000 00	July, 1882.
3			7 00			1,000 00	6,000 00	1881.
6	4		9 50	5 00		4,000 00	6,000 00	1860.
8			7 50			2,000 00	4,000 00	1864.
5	2		7 00	2 00		2,000 00	3,000 00	1844.
5			7 50			5,000 00	8,000 00	1844.
6			5 00			20,000 00	22,000 00	1864.
12			6 00			15,000 00	20,000 00	1854.
3			6 00			4,000 00	7,000 00	1874.
10	3	22	7 50	4 50	3 50	16,000 00	40,000 00	1881.
16			7 00			15,000 00	10,000 00	1864, by Hall; 1881, by Co.
6			6 00			400 00	6,000 00	1867.
2	1		7 00	2 00		500 00	2,400 00	1871.
3			7 00			1,000 00	3,000 00	1877.
11			7 00			10,000 00	8,000 00	1874.
2	2		10 00	2 00		1,000 00	1,800 00	May 1, 1884.
2	3		7 00	3 00		3,000 00	4,000 00	1878.
2			6 00			2,000 00	1,000 00	1872.
6	2		7 50	2 50		3,000 00	6,000 00	1878.
10		6	6 00		3 00	5,000 00	7,000 00	1883.
45			7 50			4,000 00	40,000 00	Over 15 years.
15			7 50			2,000 00	22,400 00	do 20 do
5			6 00			4,000 00	20,000 00	1881.
5			5 20			400 00	7,000 00	
4			7 00			500 00	7,000 00	1881.



## TABULAR STATEMENT giving Designation of Manufacturing

No.	Name and Industry.	Location.	Hands employed in 1878.			Average rate of wages per week		
			M.	B.	F.	M.	B.	F.
	PRINCE EDWARD ISLAND.					\$ cts.	\$ cts.	\$ cts.
	Lobster Canneries, as follows:—							
1	New London Lobster Packing Co	Queen's Co.....						
2 to 62	Canneries owned or managed by Mathew McLean & Co., Morrow & Co., McDonald, McDonald & Co.....	East Point, King's Co						
	John A. McLean, McCallum & Fraser and R. D. McCallum...	St. Peter's do ...						
	E. G. Stainer & Co .....	do Harbor do ...						
	Forrest & Shea, D. L. Kennedy..	Boughton Isld. do ...						
	McClure Bros .....	High Bank do ...						
	Duncan Munn, Prowse & LeLa- chour and Mathew Murray .....	Little Sands do ...						
	Daniel Davis, Samuel Prowse and James Clow .....	Murray Harbor do ...						
	McDonald Bros .....	Targetown do ...						
	James E. Grant .....	Launching do ...						
	C. C. Carleton .....	Rollo Bay do ...						
	C. J. Haley .....	Souris do ...						
	D. & J. McNutt.....	Dainley, near Lon- don, King's Co ...						
	Morris & Hyndman .....	Tracadie, Queen's Co						
	David Ross .....	Bell Creek do ...						
	A. Callaghan and Portland Packing Co.....	Rustico do ...						
	A. C. McLellan and Clark & Harshaw.....	New London do ...	70	fishermen	75	10 00		
	J. Nemo and Walter Mathewson.	Canoe Cove do ...	50			6 00		4 00
	John Nemo .....	St. Peter's Isl. do ...						
	McDonald & Beer, Joseph Lantz, John Murchison, W. J. Dujay, McDonald & McCrae, James Stewart and Wm. Harris. ....	Point Prim do ...						
	Geo. W. Frost, R. P. Hamlin, Mathew Waddell and Duncan Munn .....	Wood Island do ...						
	W. Belyea, Robt. Bell, D. J. Thomson, R. R. Read, Mimine- gash Canning and Boneless Fish Packing Co., W. Robley.	Miminegash, Prince Co.....						
	J. Mathewson and C. C. Bell...	Campbellton do ...						
	J. T. Palmer .....	Conway do ...						
	Frank Gallant, J. H. Myrick (2)	Mail Pond do ...						
	West Point, Peter Gavin (2), Indian Point, Covehead, Eg- mont.....	Longworth do ...						
	Egmont Bay.....	Prince Co.....						
	James Johnson.....	Victoria, Prince Co.						
	Cameron Bros.....	Richard Pt. do ...						
	Cape Traverse.....	Prince Co .....						
	Starch Factories, as follows:—							
1	Mount Stewart .....		24			7 00		
2 & 3 4 to 11	York River and St. Peter's Bay Crapaud, Hunter River, Eldon, Western River, Prowse's, Lot 40, Blake's Station, Baltic Co.							
	Cheese Factories in several dis- tricts, and known as Cornwall, Hunter River, York River, Dunk River, St. Eleanor's & Mill River.							

Enterprises, Employment Force, Wages Paid, &c., &c.—*Concluded.*

Hands employed in 1884.			Average rate of wages per week.			Capital invested.	Output thereof.	Date of Establishment.
M.	B.	F.	M.	B.	F.			
			\$ cts	\$ cts	\$ cts.	\$ cts.	\$ cts.	
18	fishermen ....		10 00	} .....	4 00	5,000 00	12,500 00	1883.
20	.....	12	8 00					
854	fishermen ....		10 00	} .....	4 00	122,000 00	549,000 00	With five exceptions—Canoe Cove, Murray Harbor, Cascumpec, Lit- tle Sands and Donnelly—all were started since 1879.
610	.....	915	6 00					
18	.....		6 00	.....	.....	10,000 00	9,000 00	1881.
24	.....		7 00	.....	.....	20,000 00	35,000 00	1870 and 1872 respectively.
122	.....		7 00	.....	.....	74,000 00	116,000 00	All started since 1879.
17	.....		153 00	.....	.....	14,800 00	36,000 00	do 1881.



## RETURN

(37a)

To an ADDRESS of the HOUSE OF COMMONS, dated the 6th February, 1885 ;  
—For copy of the Commission or other authorization, Order in Council, Correspondence and instructions in relation to the Commission issued for the investigation of certain acts as to the condition of the industries of Canada during the last recess. Copy of the Report of the Commissioners and the evidence and data obtained by them. Statement in detail of all moneys paid in respect of the Commission, and an Estimate in detail of all moneys payable, but as yet unpaid.

J. A. CHAPLEAU,

Department of Secretary of State,  
Ottawa, 11th February, 1885.

*Secretary of State.*

The undersigned has the honor to report to Council that he has had for some time under consideration the desirability of procuring reliable information as to the manufacturing industries in existence in Canada, as regards the number of persons employed, the amount of capital invested, the output thereof, the date of establishment and the progress of the several factories, and, in fact, all particulars that will be of use in aiding the Government in legislation with reference thereto. The undersigned is aware that a certain amount of information respecting these manufacturing interests has been already given in the census; but that information embraces only the period from 1871 to 1881, and the undersigned is of opinion that this information should be brought down to the most recent date, and particular attention should be paid to the progress that has been made since the commencement of the year 1879. With this view, the undersigned is of opinion that it is desirable to appoint some fully-qualified person to travel about to the chief centres of industry in Canada, and to complete a report on the subject by the 1st of January next, in order that sufficient data may be procured for any legislation that may be required.

The undersigned, therefore, recommends that Mr. A. H. Blackeby, who has previously visited the factories in Canada and in Massachusetts, and who has shown himself fully qualified for the work, be detailed to procure the information above mentioned and make the report thereon above specified, and he recommends that he be allowed, while engaged in the work, remuneration at the rate of \$5 per diem and all living and travelling expenses, his report to be made or before the 1st day of January next, and further that he now be granted an advance of \$500 on account of such remuneration, the same to be charged to "Unforeseen Expenses."

Respectfully submitted,

S. L. TILLEY, *Minister of Finance.*

FINANCE DEPARTMENT, OTTAWA, May 2nd, 1884.

CERTIFIED COPY of a Report of a Committee of the Honorable the Privy Council, approved by His Excellency the Governor General in Council on the 5th May, 1884.

On a report dated 2nd May, 1884, from the Minister of Finance, stating that it is desirable to procure reliable information as to the manufacturing industries in existence in Canada, as regards the number of persons employed, the amount of capital invested, the output thereof, the date of establishment, and the progress of the several factories, and, in fact, all particulars that will be of use in aiding the Government in legislation with reference thereto:

The Minister observes that there has been already given in the census a certain amount of information respecting these manufacturing interests, but that information only embraces the period from 1871 to 1881.

The Minister is of opinion that this information should be brought down to the most recent date, and particular attention should be paid to the progress that has been made since the commencement of the year 1879, and with this view he is of opinion that it is desirable to appoint some fully-qualified person to travel about to the chief centres of industry in Canada, and to complete a report on the subject by the 1st January, 1885, in order that sufficient data may be procured for any legislation that may be required.

The Minister recommends that Mr. A. H. Blackeby, who has visited the factories in Canada and in Massachusetts, and who has shown himself fully qualified for the work, be detailed to procure the information above mentioned and make the report thereon above specified, and that he be allowed remuneration while engaged in the work, at the rate of \$5 per diem, and all living and travelling expenses, and, further, that he be now granted an advance of \$500 on account of such remuneration, to be charged to "Unforeseen Expenses;" also, that Mr. Blackeby's report be made on or before the 1st day of January, 1885.

The committee concur in the foregoing recommendations, and submit the same for Your Excellency's approval.

JOHN J. MCGEE, *Clerk, Privy Council.*

FINANCE DEPARTMENT, OTTAWA, May 8th, 1884.

SIR,—I have the honor to inform you that by Order in Council, dated the 5th instant (certified copy enclosed) you have been appointed a commissioner to procure for the Government of Canada information as to the manufacturing industries in Canada, as regards the number of persons employed, the amount of capital invested, the output thereof, the date of establishment and the progress of the several factories, and in fact all particulars that will be of use in aiding the Government in legislation with reference to the same, and to report thereon to the Government as in the Order in Council specified.

I have, &c.,

J. M. COURTNEY, *Deputy Minister of Finance.*

A. H. BLACKEBY, Esq., Galt, Ontario.

FINANCE DEPARTMENT, OTTAWA, May 27th, 1884.

SIR,—I have the honor, by direction of the Honorable the Minister of Finance, to request that in your visits to factories for the purpose of collecting statistics with reference thereto, you will not, until further notice, visit any factories either in the Province of New Brunswick or the Province of Nova Scotia.

Would you kindly supply me, from time to time, with your address.

I have, &c.,

J. M. COURTNEY, *Deputy Minister of Finance.*

A. H. BLACKEBY, Esq., Galt, Ontario.

The undersigned has the honor to report to Council that by an Order in Council passed on the 5th day of May last, Mr. A. H. Blackeby was appointed to collect statistics respecting the manufacturing interests in Canada, and in order to allow sufficient opportunity for the proper consideration of his report before the meeting of Parliament next year, he was required to furnish such report on or before the 1st day of January next. The undersigned, however, considered that the time allowed Mr. Blackeby was not sufficient to permit of his making sufficiently thorough enquiries into the state of the factories in all parts of the Dominion, and that in order to get full information, further assistance should be obtained. With this view, the undersigned entered into correspondence with Hon. Edward Willis, of St. John, N.B., and



desired him to collect statistics with reference to the factories in the Maritime Provinces, similar to those Mr. Blackeby was making in Ontario and Quebec, and report to the Government the result of such enquiries on or before the 1st day of January next.

The undersigned has, therefore, now the honor to recommend that Hon. Edward Willis be appointed, on behalf of the Government, to procure information as to the manufacturing industries in existence in the Maritime Provinces of the Dominion of Canada, as regards the number of persons employed, the amount of capital invested, the output thereof, the date of establishment, and the progress of the several factories, and all such further particulars as will be of use in aiding the Government in legislating with reference to the same, and that he be paid the sum of \$5 a day for his services, from the 10th of June last until the date of the rendering of his report, such report to be rendered on or before the 1st day of January next.

Respectfully submitted,

S. L. TILLEY, *Minister of Finance.*

FINANCE DEPARTMENT, Ottawa, 13th September, 1884.

*CERTIFIED COPY of a Report of a Committee of the Honorable the Privy Council, approved by His Excellency the Governor General in Council on the 14th September, 1884.*

On a report dated 13th September, 1884, from the Minister of Finance, submitting that by an Order in Council, dated 5th May last, Mr. A. H. Blackeby was appointed to collect statistics respecting the manufacturing industries of Canada, and in order to allow sufficient opportunity for the proper consideration of his report before the meeting of Parliament next year, he was required to furnish such report on or before the 1st day of January next.

The Minister, considering, however, that the time allowed Mr. Blackeby was not sufficient to permit of his making thorough enquiries into the state of the factories in all parts of the Dominion, and that in order to get full information further assistance should be obtained, he, the Minister, entered into correspondence with Hon. Edward Willis, of St. John, N.B., and desired him to collect statistics with reference to the factories in the Maritime Provinces, similar to those Mr. Blackeby was making in Ontario and Quebec, and report to the Government the result of such enquiries on or before the 1st day of January next.

The Minister therefore recommends that Hon. Edward Willis be appointed, on behalf of the Government, to procure information as to the manufacturing industries in existence in the Maritime Provinces of the Dominion of Canada, as regards the number of persons employed, the amount of capital invested, the output thereof, the date of establishment, and the progress of the several factories, and all such further particulars as will be of use in aiding the Government in legislating with reference to the same, and that he be paid the sum of \$5 a day for his services, from the 10th of June last until the date of his rendering his report, such report to be rendered on or before the 1st day of January next.

JOHN J. MCGEE, *Clerk, Privy Council.*

FINANCE DEPARTMENT, OTTAWA, 23rd September, 1884.

SIR,—I have the honor to inform you, that by an Order in Council passed on the 4th inst., you are appointed, on behalf of the Government of the Dominion of Canada, to procure information as to the manufacturing industries in existence in the Maritime Provinces of the Dominion, as regards the number of persons employed the amount of capital invested, the output thereof, the date of establishment, and the progress of the several factories, and such further particulars as will be of use to the Government in connection with legislation with reference to the same, and to

render a report thereon to the Government on or before the 1st day of January next.

I have, &c.,

J. M. COURTNEY, *Deputy Minister of Finance.*

Hon. EDWARD WILLIS, St. John, N. B.

The undersigned has the honor to report to Council, that Messrs. A. H. Blackeby. and Edward Willis were appointed, by Order in Council, to collect certain statistics with reference to factories in the Dominion, and to report thereon on or before the first day of January instant.

The undersigned has now the honor to recommend that the time for making the said reports be extended to the 1st day of February next, the gentlemen to receive, during the extended time, the same rate of remuneration as is allowed by the Orders in Council appointing them, respectively.

Respectfully submitted,

S. L. TILLEY, *Minister of Finance.*

FINANCE DEPARTMENT, OTTAWA, 19th January, 1885.

(P. C. No. 92.)

CERTIFIED COPY of a Report of a Committee of the Honorable the Privy Council, approved by His Excellency the Governor General in Council on the 23rd January, 1885.

On a report dated 19th January, 1885, from the Minister of Finance, representing that Messrs. A. H. Blackeby and Edward Willis were appointed to collect certain statistics with reference to factories in the Dominion, and to report thereon on or before the 1st January, 1885:

The Minister recommends that the time for making the said reports be extended to the 1st February next, and that they receive, during the extended time, the same rate of remuneration as is authorized by the Orders in Council appointing them, respectively.

The committee submit the same for Your Excellency's approval.

JOHN J. MCGEE, *Clerk, Privy Council.*

Hon. Minister of Finance.



## Amounts paid to A. H. Blackeby and Ed. Willis.

1884.	Payments to A. H. Blackeby.	\$ cts.
	Under O. C., of May 5th, 1884.....	500 00
July 2.....	On account per diem allowances.....	150 00
do 17.....	do do .....	150 00
Aug. 15.....	do do .....	150 00
Sept. 17 .....	do do .....	150 00
Oct. 14.....	do do 150 00 }	300 00
do 14.....	do travelling expenses 150 00 }	300 00
Dec. 5.....	do per diem allowances.....	300 00
Jan. 30.....	do do and travelling expenses .....	300 00
		2,000 00

MEMO.—Mr. Blackeby has rendered a bill for his travelling and living expenses for the sum of \$974.75, which is now before the Auditor-General.

1884.	Payments to Hon. Ed. Willis.	\$ cts.
Sept. 23.....	Allowances under O. C., Sept. 14th, 1884.....	400 00
Nov. 28.....	do do do .....	400 00
Jan. 30.....	do do do .....	385 00
		1,185 00

MEMO —A further claim of \$429.40 has not yet been settled.

FINANCE DEPARTMENT,  
OTTAWA, 11th February, 1885.

